

ACTS OF THE ELEVENTH CONGRESS

OF THE

UNITED STATES,

Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the twenty-second day of May, 1809, and ended on the twenty-eighth day of June, 1809.

JAMES MADISON, President; GEORGE CLINTON, Vice President of the United States and President of the Senate; ANDREW GREGG, President of the Senate pro tempore, on the 28th of June; J. B. VARNUM, Speaker of the House of Representatives.

STATUTE I.

CHAPTER I.—*An Act respecting the ships or vessels owned by citizens or subjects of foreign nations with which commercial intercourse is permitted.*

May 30, 1809.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passing of this act, all ships or vessels owned by citizens or subjects of any foreign nation with which commercial intercourse is permitted by the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," be permitted to take on board cargoes of domestic or foreign produce, and to depart with the same for any foreign port or place with which such intercourse is, or shall, at the time of their departure respectively, be thus permitted, in the same manner, and on the same conditions, as is provided by the act aforesaid, for vessels owned by citizens of the United States; any thing in the said act, or in the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or in any of the several acts supplementary thereto, to the contrary notwithstanding.

APPROVED, May 30, 1809.

Act of March 1, 1809, ch. 24.
Ships and vessels of foreign nations with which intercourse is permitted by the act of March 1, 1809, shall be permitted to take cargoes and depart for any port with which intercourse is permitted.

Conditions.

STATUTE I.

June 14, 1809.

[Obsolete.]

CHAP. II.—*An Act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the northern and western frontiers of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of completing the fortifications commenced for the security of the seaport towns and harbors of the United States, and territories thereof; and for erecting such fortifications as may, in the opinion of the President of the United States, be deemed necessary for the protection of the northern and western frontiers, there be and hereby is appropriated the sum of seven hundred and fifty thousand dollars, to be paid out of any monies in the treasury, not otherwise appropriated.

APPROVED, June 14, 1809.

Specific appropriation.

STATUTE I.

June 15, 1809.

[Obsolete.]

An agent to be appointed to appear before the board of commissioners for adjusting land titles at Kaskaskia.

CHAP. III.—*An Act authorizing the appointment of an agent for the land-office at Kaskaskia, and allowing compensation to the commissioners and clerk.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized to employ an agent, whose compensation shall not exceed five hundred dollars in full for all his services, for the purpose of appearing before the board of commissioners for adjusting the claims to land in the Kaskaskia district, in behalf of the United States, to investigate the claims for land, and to oppose all such as he may deem fraudulent and unfounded.

SEC. 2. *And be it further enacted,* That five hundred dollars shall be allowed to each of the said commissioners and to the clerk of the board, as compensation for their services, rendered in the year one thousand eight hundred and eight.

APPROVED, June 15, 1809.

STATUTE I.

June 15, 1809.

Act of March 3, 1807, ch. 35. Lands ceded by the Cherokees, &c. &c. to be offered for sale.

Reservations, &c. &c.

The sales to remain open for six weeks, after which the lands may be sold at private sale.

Act of March 3, 1803.

Compensation to superintendents of sales.

CHAP. IV.—*An Act supplementary to an act, entitled “An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians; and to establish a land-office in the Mississippi Territory.”*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the lands ceded to the United States by the Cherokee and Chickasaw Indians, as lies within the Mississippi territory, and for which a land-office was directed to be established, by the second section of the act to which this act is a supplement, shall, with the exception of section number sixteen in each township, which shall be reserved for the use of schools within the same, and with the exception of the salt springs and lands contiguous thereto, which, by the direction of the President of the United States, may be reserved for the future disposal of the said United States, be offered for sale to the highest bidder, under the direction of the register of the land-office and of the receiver of public monies, at the place where the land-office is established; and on the day or days which shall have been designated by proclamation of the President of the United States for that purpose, the sales shall remain open for six weeks, and no longer; the lands shall not be sold for less than two dollars an acre, and shall be sold in tracts of the same size, and in all respects on the same terms and conditions as have been or may be by law provided for the sale of the other public lands in the Mississippi territory. All the lands of the United States in the said district, with the exceptions above mentioned, remaining unsold at the close of the public sales, may be disposed of at private sale, by the register of the land-office, in the same manner, under the same regulations, for the same price, and on the same terms and conditions as are or may be provided by law, for the sale of the lands of the United States in the Mississippi territory; and patents shall be obtained for lands sold in said district, in the same manner, and on the same terms as are provided by law for other public lands sold in the Mississippi territory.

SEC. 2. *And be it further enacted,* That the superintendents of the public sales, directed by this act, shall each receive six dollars a day, for every day's attendance on the said sales.

APPROVED, June 15, 1809.

CHAP. V.—*An Act to continue in force “An act declaring the assent of Congress to a certain act of the state of South Carolina, passed the twenty-first of December, one thousand eight hundred and four.”*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of the twenty-eighth of March, one thousand eight hundred and six, entitled “An act declaring the consent of Congress to an act of the state of South Carolina, passed on the twenty-first day of December, one thousand eight hundred and four, so far as the same relates to authorizing the city council of Charleston to impose and collect a duty on the tonnage of vessels from foreign ports,” be and the same is hereby continued in force from the passage of this act for five years, and thence to the end of the next session of Congress thereafter, and no longer.

APPROVED, June 15, 1809.

STATUTE I.

June 15, 1809.

[Expired.]

Act of March 28, 1806, ch. 17, continued in force for five years.

CHAP. VII.—*An Act to fix the time for the next meeting of Congress.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after the adjournment of the present session, the next meeting of Congress shall be on the fourth Monday of November next.

APPROVED, June 24, 1809.

STATUTE I.

June 24, 1809.

Congress to meet on the fourth Monday in Nov. 1809.

CHAP. VIII.—*An Act for the remission of certain penalties and forfeitures, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to remit any penalty or forfeiture which may have been incurred in consequence of the violation of any of the provisions of the act, entitled “An act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord, one thousand eight hundred and eight,” by any person who may have been concerned in bringing into any port or place within the jurisdiction of the United States, any slave or slaves, owned by any person or persons, who shall have been forcibly expelled from the island of Cuba, by order of the government thereof: and the President of the United States is hereby further authorized to release all vessels and other effects, which may have been or may hereafter be seized therefor: *Provided*, that he shall be first satisfied in every case, that the person thus concerned in bringing in such slave or slaves as aforesaid, was impelled thereto, by circumstances which, in the judgment of the President of the United States, would justify the act; and without any intention on the part of such person voluntarily to evade any of the provisions of the act aforesaid: *And provided also*, that such slave or slaves shall have been brought into the United States in the same vessel and at the same time as their owner or owners respectively.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorized to make any arrangement with the minister plenipotentiary of France, which he may deem necessary and proper for transporting such of the unfortunate exiles from the said island of Cuba, with their effects, as shall desire to depart from the United States to any port or place within the territories of France, her colonies or dependencies, any law to the contrary notwithstanding: *Provided*, that the vessels transporting the same shall depart only in ballast, and without taking on board any other cargo than such sea

STATUTE I.

June 28, 1809.

[Obsolete.]

President authorized to remit penalties and forfeitures, in the case of certain fugitives from Cuba, incurred under the act to prohibit the importation of slaves.

Act of March 2, 1807, ch. 22.

Proviso, that the President shall be satisfied that the person was impelled to import the slave or slaves; and provided, the slave has been brought in the same vessel with the owner.

President authorized to make arrangements with the French minister for transporting the exiles to France, &c. &c.

Appropriation.

Conditions
upon which it is
to be applied.

Interest of the
U. States in the
proceeds of the
sale of the Clara
given up.

stores as may be deemed necessary for the voyage in every case. And to enable the President to carry into effect any such arrangement, as well as for supplying, temporarily, such of the unfortunate exiles with the necessaries of subsistence, as may be in actual want thereof, there be appropriated the sum of fifteen thousand dollars, or so much thereof as may be necessary for these objects, to be paid out of any money in the treasury, not otherwise appropriated: *Provided however*, that all monies which may be drawn out of the treasury, in virtue of this act, shall be charged to the French government, under such stipulations for reimbursing the same, on the part of the minister plenipotentiary of France, as, in the judgment of the President. may be deemed proper for that object.

SEC. 3. *And be it further enacted*, That all claim and demand of the United States to any monies arising from the sale of the ship Clara, sold in pursuance of a decree of the district court for Orleans district, holden in March, one thousand eight hundred and nine, be, and the same is hereby relinquished and remitted to Andrew Foster and Jacob P. Giraud, late owners of the said ship Clara, any thing in any former law to the contrary notwithstanding.

APPROVED, June 28, 1809.

STATUTE II.

June 28, 1809.

[Expired.]

Act of March
1, 1809, ch. 24.

Certain parts
of non-inter-
course law con-
tinued in force.

Third, fourth,
fifth, sixth,
seventh, eighth,
ninth, tenth,
eleventh, seven-
teenth and eight-
teenth sections.

Not to be con-
strued to affect
the commercial
intercourse per-
mitted by the
eleventh sec-
tion.

Declaratory
clause.

Proviso, that
all penalties, &c.
shall remain.

Act of Dec.
22, 1807, ch. 5.

Act of March
1, 1809, ch. 24.

Vessels pro-
hibited from go-
ing to interdict-
ed ports.

CHAP. IX.—*An Act to amend and continue in force certain parts of the act entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, seventeenth and eighteenth sections of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes," shall continue in force until the end of the next session of Congress: *Provided*, that nothing therein contained shall be construed to prohibit any trade or commercial intercourse which has been or may be permitted in conformity with the provisions of the eleventh section of the said act.

SEC. 2. *And be it further enacted*, That all acts repealed, or mentioned or intended to be repealed by the said act to interdict commercial intercourse between the United States and Great Britain and France, and their dependencies, shall be and remain repealed, notwithstanding any part of the same act which has been or may hereafter be revoked or annulled, or which may expire by its own limitation: *Provided*, that all the penalties and forfeitures which may have been incurred, or shall hereafter be incurred on account of any infraction of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or of any of the acts supplementary thereto, or of the act to enforce and make more effectual an act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States," or of any of the provisions of the act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes, shall after the expiration of any of the said acts or of any provision thereof, be recovered and distributed in like manner as if the said acts and every provision thereof had continued in full force and virtue.

SEC. 3. *And be it further enacted*, That during the continuance of this act, no ship or vessel, except such as may be chartered or employed for the public service by the President of the United States, shall be permitted to depart for any foreign port or place with which commercial intercourse has not been or may not be permitted by virtue of this act,

or of the act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes. And no ship or vessel bound to a foreign port or place with which commercial intercourse has been or may be thus permitted, except such as may be chartered or employed as aforesaid, shall be allowed to depart, unless the owner or owners, consignee or factor of such ship or vessel shall, with the master, have given bond with one or more sureties to the United States, in a sum double the value of the vessel and cargo, that the vessel shall not proceed to any port or place with which commercial intercourse is not thus permitted, nor be directly or indirectly engaged, during the voyage, in any trade with such port or place. And if any ship or vessel shall, contrary to the provisions of this section, depart from any port of the United States, without clearance, or without having given bond in the manner above mentioned, such ship or vessel, together with her cargo, shall be wholly forfeited, and the owner or owners, agent, freighter or factors, master or commander of such ship or vessel, shall moreover severally forfeit and pay a sum equal to the value of the ship or vessel, and of the cargo put on board the same: *Provided always*, that the provisions of the eleventh section of the act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes, shall extend to the prohibitions imposed by this section; which prohibitions shall cease to operate in the manner and under the limitations prescribed by the eleventh section aforesaid, in relation to any nation with which commercial intercourse may hereafter be permitted, in conformity with the provisions of the eleventh section aforesaid.

SEC. 4. *And be it further enacted*, That all penalties and forfeitures arising under, or incurred by virtue of this act, shall, during the continuance and after the expiration thereof, be recovered and distributed, and may be remitted or mitigated in the manner prescribed by the act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes, and the acts therein referred to.

SEC. 5. *And be it further enacted*, That all the vessels which may have arrived at any port or place within the United States from Great Britain, her colonies or dependencies, between the twentieth day of May and the eleventh of June, one thousand eight hundred and nine, shall be exempted from all the forfeitures and penalties incurred in consequence of any violation of any of the provisions of the said act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies.

APPROVED, June 28, 1809.

Vessels going to ports other than forbidden ones to give bond, &c. &c.

Proviso, that the provisions of the eleventh section of the act of March 1, 1809, ch. 24, shall extend to prohibitions under this section.

Penalties and forfeitures, how to be recovered and distributed.

Act of March 1, 1809, ch. 24.

Vessels which may have arrived in the U. States between the 20th May and 11th June exempt from forfeiture, &c. &c.

STATUTE I.

CHAP. X.—*An Act supplementary to the act, entitled "An act making further provision for the support of public credit, and for the redemption of the public debt."*

June 28, 1809.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the powers vested in the commissioners of the sinking fund, by the tenth section of the act to which this act is a supplement, shall extend to all the cases of reimbursement of any instalments or parts of the capital, or principal, of the public debt now existing, which may become payable according to law. And in every case in which a loan may be made accordingly, it shall be lawful for such loan to be made of the Bank of the United States, any thing in any act of Congress to the contrary notwithstanding.

APPROVED, June 28, 1809.

Act of March 3, 1795, ch. 45. Powers of the commissioners of the sinking fund extended.

STATUTE I.

June 28, 1809.

[Obsolete.]

Specific appropriation.

Appropriation to defray the expense of the temporary Senate room.

CHAP. XI.—*An Act making an appropriation to finish and furnish the Senate chamber, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to defray the expenses of finishing and furnishing the permanent Senate chamber, its committee rooms, lobbies and other apartments, the sum of fifteen thousand dollars is appropriated, to be paid out of any monies in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That to defray the expense incurred in fitting up the temporary Senate chamber, and repairing and providing articles of furniture, the further sum of sixteen hundred dollars be appropriated, the same to be paid out of any monies in the treasury not otherwise appropriated.

APPROVED, June 28, 1809.

STATUTE I.

June 28, 1809.

[Obsolete.]

Act of April 12, 1808, ch. 43.

CHAP. XII.—*An Act to suspend for a limited time the recruiting service.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act entitled "An act to raise for a limited time an additional military force," as authorizes the enlisting of men for the term of five years, unless sooner discharged, be and the same is hereby suspended until twenty days after the next meeting of Congress.

APPROVED, June 28, 1809.

STATUTE I.

June 28, 1809.

[Obsolete.]

Letters and packets from Thomas Jefferson be received and conveyed by post free of postage.

CHAP. XIV.—*An Act freeing from postage all letters and packets from Thomas Jefferson.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all letters and packets from Thomas Jefferson, late President of the United States, during his life, shall be received and conveyed by post, free of postage.

APPROVED, June 28, 1809.

STATUTE I.

June 28, 1809.

Appropriation.

CHAP. XV.—*An Act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for defraying the expense of stationery, printing, and all other contingent expenses of the Senate and House of Representatives, during the present session of Congress, the sum of nine thousand dollars be, and the same hereby is appropriated, payable out of any money in the treasury not otherwise appropriated.

APPROVED, June 28, 1809.

STATUTE I.

June 28, 1809.

CHAP. XVI.—*An Act authorizing the accounting officers of the Treasury Department to give credit to certain collectors of the customs for allowances paid by them to the owners and crews of fishing vessels.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the accounting officers of the treasury department be, and they are hereby authorized, in settling the accounts of the collectors of the customs, to give them credit for the respective sums which have been or may be paid for allowances to the owners and crews of fishing vessels, in lieu of drawback of the

duties paid on the salt used by the same, to the thirty-first of December, one thousand eight hundred and seven.

APPROVED, June 28, 1809.

CHAP. XVII.—*An Act concerning the Naval Establishment.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, in the event of a favourable change in our foreign relations, be and he is hereby authorized to cause to be discharged from actual service and laid up in ordinary, such of the frigates and public armed vessels, as in his judgment a due regard to the public security and interest will permit.

SEC. 2. *And be it further enacted,* That so much of the first section of an act, entitled "An act to authorize the employment of an additional naval force," passed at the last session of Congress, as requires the public armed vessels to be stationed at such ports and places on the sea-coast, or to cruise on the sea-coast of the United States and territories thereof, be, and the same is hereby repealed.

APPROVED, June 28, 1809.

STATUTE I.

June 28, 1809.

[Obsolete.]

President in the event of a favourable change in the foreign relations authorized to discharge and lay up in ordinary such of the frigates as he shall think proper.

Act of Jan. 31, 1809, ch. 11.

ACTS OF THE ELEVENTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the twenty-seventh day of November, 1809, and ended on the first day of May, 1810.

JAMES MADISON, President; GEORGE CLINTON, Vice President of the United States, and President of the Senate; ANDREW GREGG, President of the Senate pro tempore, from the 9th to the 19th of December, 1809; JOHN GAILLARD, President of the Senate pro tempore, on the 2d of March, and from the 20th of April to the 1st of May, 1810; J. B. VARNUM, Speaker of the House of Representatives.

STATUTE II.

Dec. 9, 1809.

CHAPTER I.—*An Act to authorize the transportation of certain Documents free of postage.*

[Obsolete.]

Certain documents to be free of postage.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the members of Congress, the secretary of the Senate, and the clerk of the House of Representatives, be, and they are hereby respectively authorized to transmit free of postage, the message of the President of the United States, of the twenty-ninth of November, one thousand eight hundred and nine, and the documents accompanying the same, printed by order of the Senate, and by order of the House of Representatives, to any post-office within the United States, and territories thereof, to which they may direct; any law to the contrary notwithstanding.

APPROVED, December 9, 1809.

STATUTE II.

Dec. 15, 1809.

CHAP. II.—*An Act supplemental to an act entitled "An act extending the right of suffrage in the Indiana territory, and for other purposes."*

Act of May 7, 1800, ch. 41.

Act of Feb. 27, 1809, ch. 19.

Governor to apportion the representatives, and to issue his writ for the election.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the governor of the Indiana territory, for the time being, be, and he is hereby authorized and empowered to apportion the representatives among the several counties in said territory, as he shall think proper, having regard to the numbers limited in the fourth section of the act to which this is a supplement, and to issue his writ for the election of such representatives agreeably to the apportionment which he may make, at such time as he shall deem most convenient for the citizens of the several counties in said territory.

SEC. 2. *And be it further enacted,* That so soon as the legislature of said territory shall be convened, the number of representatives in each county thereof shall be regulated by the general assembly.

SEC. 3. *And be it further enacted,* That when any vacancy shall occur in the legislative council, by death, resignation or removal from office, or when from either of said causes there shall be no delegate from said territory to the Congress of the United States, the governor shall

Afterwards to be apportioned by the general assembly.

Governor to issue a proclamation for supplying vacancy in the delegation to Congress.

in either case be authorized to issue his proclamation, directing an election to be held to supply such vacancy according to law.

APPROVED, December 15, 1809.

STATUTE II.

CHAP. III.—*An Act extending the time for issuing and locating military land warrants.*

Dec. 19, 1809.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to issue military land warrants to such persons as have or shall, before the first day of March, one thousand eight hundred and thirteen, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued and not yet satisfied, shall, and may be located in the names of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and thirteen, on any unlocated parts of the fifty quarter townships and the fractional quarter townships, reserved by law for original holders of military land warrants.

APPROVED, December 19, 1809.

[Obsolete.]

Act of June 9, 1794, ch. 62.

Act of March 21, 1808, ch. 37.

Act of July 5, 1813, ch. 7.

Secretary of War may issue certain military land warrants.

Where to be located.

STATUTE II.

CHAP. V.—*An Act to revive and continue in force for a further time, the first section of the act entitled "An act further to protect the commerce and seamen of the United States, against the Barbary powers."*

Jan. 12, 1810.

[Obsolete.]

Act of March 26, 1804, ch. 46.

* There is a misrecital of the act of 1804. It was passed on the 26th March, 1804.

Revival and continuance in force of the first section of the act creating the Mediterranean fund.

Act of April 21, 1806, ch. 38.

Act of Jan. 31, 1812, ch. 18. Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act passed on the twenty-fifth day of March,* one thousand eight hundred and four, entitled "An act further to protect the commerce and seamen of the United States, against the Barbary powers," as is contained in the first section of the said act, (and which was revived and continued in force, for the time therein mentioned, by an act, entitled "An act to revive and continue in force, for a further time, the first section of the act, entitled An act further to protect the commerce and seamen of the United States, against the Barbary powers," passed the tenth day of January, one thousand eight hundred and nine,) be, and the same hereby is revived and continued in force, until the fourth day of March, one thousand eight hundred and eleven: *Provided however,* that the additional duty laid by the said section, shall be collected on all such goods, wares and merchandise, liable to pay the same, as shall have been imported previous to that day.

APPROVED, January 12, 1810.

STATUTE II.

CHAP. VIII.—*An Act in addition to the "Act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio." (a)*

Feb. 14, 1810.

[Obsolete.]

Specific additional appropriation.

Act of March 29, 1806, ch. 19.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the unexpended balance of the sum heretofore appropriated for the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio, the sum of sixty thousand dollars be, and the same is hereby appropriated, and to be expended under the direction of the President of the United States, in making said road between Cumberland in the state of Maryland, and Brownsville in the state of Pennsylvania, commencing at Cumberland; which sum of sixty thousand dollars, shall be paid out of the fund reserved for laying out and making roads to the state of Ohio, by virtue of the seventh section of an act, passed on the

(a) See notes to act of March 29, 1806, chap. 19.

Act of April
30, 1802, ch. 40.

thirtieth day of April, one thousand eight hundred and two, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio, to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes."

APPROVED, February 14, 1810.

STATUTE II.

Feb. 24, 1810.

[Obsolete.]

Mode prescribed for the purchase at private sale of the public lands after June 1, 1810.

Joab Garret may withdraw his entry.

CHAP. XI.—*An Act to prescribe the mode in which application shall be made for the purchase of land at the several land-offices; and for the relief of Joab Garret.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the first day of June next, every person making application at any of the land-offices of the United States, for the purchase at private sale of a tract of land, shall produce to the register a memorandum in writing, describing the tract, which he shall enter by the proper number of the section, half section, or quarter, (as the case may be,) and of the township and range, subscribing his name thereto, which memorandum the register shall file and preserve in his office.

SEC. 2. *And be it further enacted,* That Joab Garret shall be permitted to withdraw his entry, made on the second day of September, one thousand eight hundred and seven, at the land-office at Vincennes, from the northwest quarter section, number two, township number seven, south range number seven west; and the money paid by him on the said entry, shall be placed to his credit, on any purchase he shall or may have made of public land in the same district.

APPROVED, February 24, 1810.

STATUTE II.

Feb. 24, 1810.

Act of April 7, 1798, ch. 26.
Act of Feb. 18, 1801, ch. 5.
Act of March 3, 1803, ch. 35.
Refugees from Canada and Nova Scotia, to transmit their claims to land to the war office.

Who entitled to the benefits of the provisions of this act.

CHAP. XII.—*An Act further to provide for the refugees from the British provinces of Canada and Nova Scotia, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons having claims under the resolutions of Congress, passed the twenty-third day of April, one thousand seven hundred and eighty-three, and the thirteenth of April, one thousand seven hundred and eighty-five, as refugees from the British provinces of Canada and Nova Scotia, shall transmit to the war office, within two years after the passing of this act, a just and true account of their claims to the bounty of Congress.

SEC. 2. *And be it further enacted,* That no other person shall be entitled to the benefits of the provisions of this act, than those of the following descriptions, or their widows and heirs, viz: First, those heads of families and single persons, not members of any such families, who were residents in one of the provinces aforesaid, prior to the fourth day of July, one thousand seven hundred and seventy-six, and who abandoned their settlements, in consequence of having given aid to the united colonies or states, in the revolutionary war, against Great Britain, or with intention to give such aid, and continued in the United States, or in their service during the said war, and did not return to reside in the dominions of the king of Great Britain, prior to the twenty-fifth day of November, one thousand seven hundred and eighty-three. Secondly, the widows and heirs of all such persons as were actually residents as aforesaid, who abandoned their settlements as aforesaid, and died within the United States, or in their service during the said war; and thirdly, all persons who were members of families at the time of their coming into the United States, and who during the war entered into their service.

SEC. 3. *And be it further enacted*, That the proof of the several circumstances necessary to entitle the applicants to the benefits of this act, may be taken before a judge of the supreme or district court of the United States, or a judge of the supreme or superior court, or the first justice or first judge of the court of common pleas, or county court of any state.

Proofs, before whom to be taken.

SEC. 4. *And be it further enacted*, That at the expiration of fifteen months from and after the passing of this act, and from time to time thereafter, it shall be the duty of the secretary for the department of war, to lay such evidence of claims as he may have received, before the secretary and comptroller of the treasury, and with them proceed to examine the testimony, and give their judgment, what quantity of land ought to be allowed to the individual claimants, in proportion to the degree of their respective services, sacrifices and sufferings, in consequence of their attachment to the cause of the United States; allowing to those of the first class a quantity not exceeding one thousand acres, and to the last class a quantity not exceeding one hundred, making such intermediate classes, as the resolutions aforesaid and distributive justice may, in their judgment require, and make report thereof to Congress. And in case any such claimant shall have sustained such losses and sufferings, or performed such services for the United States, that he cannot justly be classed in any one general class, a separate report shall be made of his circumstances, together with the quantity of land that ought to be allowed him, having reference to the foregoing ratio: *Provided*, that in considering what compensation ought to be made by virtue of this act, all grants, except military grants, which may have been made by the United States or individual states, shall be considered at the just value thereof, at the time the same were made respectively, either in whole or in part, as the case may be, a satisfaction to those who may have received the same: *Provided also*, that no claim under this law shall be assignable, until after report made to Congress as aforesaid, and until the said lands be granted to the persons entitled to the benefit of this act.

Secretary of War to lay the evidence of claims before the secretary and comptroller of the treasury, and with them to decide upon the measure of relief.

In what cases separate reports are to be made.

Proviso.

Proviso.

SEC. 5. *And be it further enacted*, That all claims in virtue of said resolutions of Congress, which shall not be exhibited as aforesaid, within the time by this act limited, shall for ever thereafter be barred: *Provided*, that no patent shall be issued to any person who may hereafter establish his claim under the said act, until he produce satisfactory evidence to the Secretary of the Treasury, that he is at the time then being, a resident within the United States.

Claims to be exhibited, otherwise barred.

Proviso.

APPROVED, February 24, 1810.

STATUTE II.

CHAP. XIII.—*An Act making appropriations for the support of Government during the year one thousand eight hundred and ten.*

Feb. 26, 1810.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the expenditure of the civil list, in the present year, including the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expense of intercourse with foreign nations; for the support of lighthouses, beacons, buoys and public piers; for defraying the expenses of surveying the public lands, and for satisfying certain miscellaneous claims, the following sums be, and the same hereby are respectively appropriated, that is to say:

For compensation granted by law to the members of the Senate and House of Representatives, their officers and attendants, estimated for a

Specific appropriations.

Specific ap-
propriations.

session of four months and a half continuance, two hundred and one thousand four hundred and twenty-five dollars.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of Congress, thirty-four thousand dollars.

For all contingent expenses of the library of Congress, and for the librarian's allowance for the year one thousand eight hundred and ten, eight hundred dollars.

For compensation to the President and Vice President of the United States, thirty thousand dollars.

1806, ch. 41. For compensation to the Secretary of State, clerks and persons employed in that department, including the sum of one thousand four hundred and seventy-eight dollars for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, fourteen thousand and thirty-eight dollars.

For the incidental and contingent expenses of the said department, one thousand three hundred and fifty dollars.

For printing and distributing the laws of the first and second session of the eleventh Congress, and printing the laws in newspapers, six thousand two hundred and fifty dollars.

For compensation to the Secretary of the Treasury, clerks and persons employed in his office, including the sum of one thousand dollars for clerk hire, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, sixteen thousand seven hundred dollars.

For the expense of translating foreign languages, allowance to the person employed in transmitting passports and sea letters, and for stationery in the office of the Secretary of the Treasury, one thousand dollars.

1806, ch. 41. For compensation to the comptroller of the treasury, clerks and persons employed in his office, including the sum of one thousand six hundred and thirty-nine dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, fourteen thousand six hundred and sixteen dollars.

For expense of stationery, printing and incidental and contingent expenses of the comptroller's office, eight hundred dollars.

For compensation to the auditor of the treasury, clerks and persons employed in his office, twelve thousand two hundred and twenty-one dollars.

For expense of stationery, printing, and incidental and contingent expenses of the auditor's office, five hundred dollars.

For compensation to the treasurer, clerks and persons employed in his office, six thousand two hundred and twenty-seven dollars and forty-five cents.

For expense of stationery, printing, and incidental and contingent expenses in the treasurer's office, three hundred dollars.

For compensation to the register of the treasury, clerks and persons employed in his office, sixteen thousand and fifty-two dollars and two cents.

For compensation to the messenger and doorkeeper of the register's office, for stamping and arranging the ship registers, ninety dollars.

For expense of stationery, printing and all other incidental and contingent expenses in the register's office, including books for the public stocks, and for the arrangement of the marine records, two thousand eight hundred dollars.

For fuel and other contingent and incidental expenses of the treasury department, four thousand dollars.

For defraying the expense of printing and stating the public accounts

for the year one thousand eight hundred and ten, one thousand two hundred dollars.

For the purchase of books, maps and charts, for the use of the treasury department, four hundred dollars.

For compensation to a superintendent employed to secure the buildings and records of the treasury department, during the year one thousand eight hundred and ten, including the expense of two watchmen, the repairs of two fire engines, buckets, lanterns, and other incidental and contingent expenses, one thousand one hundred dollars.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

For compensation to the Secretary of War, clerks, and persons employed in his office, eleven thousand two hundred and fifty dollars.

For expense of fuel, stationery, printing, and other contingent expenses of the office of the Secretary of War, one thousand dollars.

For compensation to the accountant of the war department, clerks, and persons employed in his office, ten thousand nine hundred and ten dollars.

For contingent expenses in the office of the accountant of the war department, one thousand dollars.

For compensation to the clerks employed in the paymaster's office, three thousand four hundred dollars.

For contingent expenses in the said office, two hundred dollars.

For compensation of additional clerks in the office of the superintendent of Indian trade, eight hundred dollars.

For compensation to the purveyor of public supplies, clerks, and persons employed in his office, and for expense of stationery, store rent and fuel for the said office, four thousand six hundred dollars.

For compensation to the Secretary of the Navy, clerks, and persons employed in his office, nine thousand eight hundred and ten dollars.

For expense of fuel, stationery, printing, and other contingent expenses in the said office, two thousand dollars.

For compensation to the accountant of the navy, clerks and persons employed in his office, ten thousand four hundred and ten dollars.

For contingent expenses in the office of the accountant of the navy, one thousand dollars.

For compensation to the Postmaster-General, assistant Postmaster-General, clerks and persons employed in the Postmaster-General's office, including the sum of one thousand five hundred and forty-five dollars, for compensation to clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, sixteen thousand dollars.

1806, ch. 41.

For expense of fuel, candles, house rent for the messenger, stationery, chests, &c. pertaining to the Postmaster-General's office, two thousand five hundred dollars.

For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars.

For compensation to the clerks of the commissioners of loans, and for allowances to certain loan officers, in lieu of clerk hire, and to defray the authorized expense of the several loan offices, fifteen thousand dollars.

For compensation to the surveyor-general and his clerks, three thousand two hundred dollars.

For compensation to the surveyor of the lands south of the state of Tennessee, clerks employed in his office, and for stationery, and other contingencies, three thousand two hundred dollars.

For compensation to the officers of the mint:

The director, two thousand dollars.

Specific appropriations.

Specific ap-
propriations.

The treasurer, one thousand two hundred dollars.

The assayer, one thousand five hundred dollars.

The chief coiner, one thousand five hundred dollars.

The melter and refiner, one thousand five hundred dollars.

The engraver, one thousand two hundred dollars.

One clerk, at seven hundred dollars.

And two clerks, at five hundred dollars each, one thousand dollars.

For wages to the persons employed in the different branches of melting, coining, carpenter's, millwright's and smith's work, including the sum of one thousand dollars per annum, allowed to an assistant coiner and die forger, who also oversees the execution of the iron-work, and of six hundred dollars per annum allowed to an assistant engraver, eight thousand dollars.

For repairs of furnaces, cast-rollers and screws, timber, bar-iron, lead, steel, potash, and for all other contingencies of the mint, two thousand, seven hundred and seventy-five dollars.

For compensation to the governor, judges and secretary of the territory of Orleans, thirteen thousand dollars.

For expense of stationery and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Mississippi territory, seven thousand eight hundred dollars.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Indiana territory, six thousand six hundred dollars.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Michigan territory, six thousand six hundred dollars.

For expense of stationery, office rent and other contingent expenses of the said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Louisiana territory, six thousand six hundred dollars.

For expense of stationery, office rent and other contingent expenses of the said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Illinois territory, six thousand six hundred dollars.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in a due course of settlement at the treasury, two thousand dollars.

For additional compensation to the clerks in the several departments of state, treasury, war and navy, and of the general post-office, not exceeding for each department respectively, fifteen per centum, in addition to the sums allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," thirteen thousand two hundred and sixty-nine dollars and thirty-two cents.

For compensation granted by law, to the chief justice, the associate judges and district judges of the United States, including the chief justice and two associate judges for the district of Columbia; to the attorney-general, and to the district judge of the territory of Orleans, fifty-nine thousand four hundred dollars.

For the like compensation granted to the several district attorneys of the United States, three thousand four hundred dollars.

Specific appropriations.

For compensation granted to the several marshals for the districts of Maine, New Hampshire, Vermont, New Jersey, North Carolina, Kentucky, Ohio, East and West Tennessee and Orleans, two thousand two hundred dollars.

For defraying the expenses of the supreme, circuit and district courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, forfeitures and penalties, and for defraying the expenses of prosecutions for offences against the United States, and for the safe keeping of prisoners, forty thousand dollars.

For the payment of sundry pensions granted by the late government, nine hundred and sixty dollars.

For the payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March, one thousand eight hundred and ten, to the fourth of March, one thousand eight hundred and eleven, ninety-eight thousand dollars.

For the maintenance and support of lighthouses, beacons, buoys and public piers, stakeages of channels, bars and shoals, and certain contingent expenses, sixty-eight thousand one hundred and thirty-one dollars and four cents.

For erecting a lighthouse on St. Simon's island, in Georgia, and placing buoy or buoys on or near the bar of St. Simon's, being the balance of former appropriations carried to the surplus fund, nine thousand and fifty dollars.

For erecting a beacon and placing buoys near the entrance of Savannah river, being an expense incurred under the act of the sixteenth day of July, seventeen hundred and ninety-eight, (a former appropriation for the same object having been carried to the credit of the surplus fund,) two thousand four hundred and ninety-four dollars and eighty-nine cents.

For erecting lighthouses at the mouth of the Mississippi river, and at or near the pitch of Cape Lookout, in North Carolina, being the amount of an additional appropriation carried to the surplus fund, fifty-five thousand dollars.

For building a lighthouse at Naushawn island, near Tarpaulin cove, in Massachusetts, being a balance of former appropriation carried to the surplus fund, two thousand four hundred and seventy-five dollars.

For rebuilding the lighthouse on North island, at the entrance of Winyaw bay, in South Carolina, being the amount of appropriation carried to the surplus fund, twenty thousand dollars.

For fixing buoys and stakes in and along the channel in Winyaw bay, leading to the harbor of Georgetown, South Carolina, being the amount of appropriation carried to the surplus fund, one thousand five hundred dollars.

For erecting a lighthouse on Point Judith, Rhode Island, in addition to the appropriation heretofore made for that purpose, two hundred dollars.

For defraying the expense of surveying the public lands within the several territories of the United States, thirty thousand dollars.

For repaying the Bank of the United States, a sum advanced to the late collector of New Orleans, to enable him to pay drawbacks, one hundred thousand dollars.

For expenses of intercourse with foreign nations, forty-nine thousand four hundred dollars.

For the contingent expenses of intercourse with foreign nations, fifty thousand dollars.

For expenses of intercourse with the Barbary powers, fifty thousand dollars.

Specific ap-
propriations.

For the contingent expenses of intercourse with the Barbary powers, fifty thousand dollars.

For the relief and protection of distressed American seamen, including the sum of twenty thousand dollars to reimburse the bankers of the United States in London, and others, sums heretofore advanced by them for this object, twenty-five thousand dollars.

For expenses of prosecuting claims and appeals in the courts of Great Britain, in relation to captures of American vessels, and defending causes elsewhere, six thousand dollars.

To enable the accounting officers of the treasury formally to pass the accounts of Timothy Pickering, late secretary for the department of state, the sum of seventy-eight thousand five hundred and eighty-three dollars and eleven cents, being the amount of former appropriations of monies received and expended by him in that department, by the application of surpluses in some articles and appropriations to others in which the appropriations were deficient.

For the discharge of such miscellaneous claims against the United States not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, four thousand dollars.

1790, ch. 34.

SEC. 2. *And be it further enacted*, That the several appropriations herein before made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by an act making provision for the debt of the United States, and out of any monies in the treasury not otherwise appropriated.

APPROVED, February 26, 1810.

STATUTE II.

March 2, 1810.

[Obsolete.]

CHAP. XIV.—*An Act making appropriations for the support of the Navy of the United States, for the year one thousand eight hundred and ten.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for defraying the expenses of the navy of the United States, during the year one thousand eight hundred and ten, the following sums be, and the same are hereby respectively appropriated, that is to say:

Specific ap-
propriations.

For the pay and subsistence of the officers, and pay of the seamen, seven hundred and eighteen thousand one hundred and fifteen dollars.

For provisions, three hundred and fifty-three thousand six hundred and ten dollars and eighty-four cents.

For medicines, instruments and hospital stores, sixteen thousand dollars.

For repairs of vessels, one hundred and fifty thousand dollars.

For freight, store rent, commissions to agents and other contingent expenses, seventy-five thousand dollars.

For pay and subsistence of the marine corps, including provisions for those on shore and forage for the staff, one hundred and forty thousand one hundred and twenty-one dollars and forty cents.

For clothing for the same, thirty-eight thousand three hundred and ninety-four dollars and seventy cents.

For military stores for the same, one thousand three hundred and ninety-eight dollars and seventy-five cents.

For medicines, medical services, hospital stores and all other expenses on account of the sick belonging to the marine corps, two thousand dollars.

For quartermasters and barrack-masters' stores, officers' travelling expenses, armorers and carpenters' bills, fuel, premiums for enlisting, musical instruments, bounty to music, and other contingent expenses of the marine corps, fifteen thousand dollars.

For the expenses of navy yards, comprising dock and other improvements, pay of superintendents, storekeepers, clerks and labourers, seventy-five thousand dollars.

For ordnance and small arms, seventy-five thousand dollars.

SEC. 2. *And be it further enacted*, That the several sums specifically appropriated by this act, shall be paid out of any monies in the treasury not otherwise appropriated.

APPROVED, March 2, 1810.

STATUTE II.

March 2, 1810.

[Obsolete.]

CHAP. XV.—*An Act making appropriations for the support of the Military establishment of the United States, for the year one thousand eight hundred and ten.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for defraying the expenses of the military establishment of the United States, for the year one thousand eight hundred and ten, for the Indian department, and for the expense of fortifications, arsenals, magazines and armories, the following sums be, and the same hereby are respectively appropriated, that is to say:

For the pay of the army of the United States, eight hundred and sixty-nine thousand nine hundred and sixty-eight dollars.

Specific appropriations.

For forage, sixty-four thousand six hundred and twenty-four dollars.

For subsistence, six hundred and eighty-five thousand five hundred and thirty-two dollars and five cents.

For clothing, two hundred and ninety-three thousand eight hundred and four dollars.

For bounties and premiums, thirty thousand dollars.

For the medical and hospital departments, fifty thousand dollars.

For camp equipage, fuel, tools and transportation, two hundred and seventy thousand dollars.

For ordnance, two hundred thousand dollars.

For fortifications, arsenals, magazines and armories, including two thousand dollars for such a number of additional military storekeepers as may be required, two hundred and eighty-three thousand five hundred and seventy-four dollars and seventy-five cents.

For purchasing maps, plans, books and instruments, two thousand five hundred dollars.

For contingencies, fifty thousand dollars.

For the salary of clerks employed in the military agents' offices, and in the office of inspector of the army, three thousand five hundred dollars.

For the Indian department, one hundred and forty-six thousand six hundred dollars.

SEC. 2. *And be it further enacted*, That the several sums specifically appropriated by this act, shall be paid out of any monies in the treasury not otherwise appropriated.

APPROVED, March 2, 1810.

STATUTE II.

March 2, 1810.

[Obsolete.]

CHAP. XVI.—*An Act for the appointment of an additional judge, and extending the right of suffrage to the citizens of Madison county, in the Mississippi territory.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the citizens of Madison county, in the Mississippi territory, qualified according to law, be and

The citizens of Madison county to elect one representa-

tive and to vote for one delegate from the territory to Congress.

Additional judge to be appointed to reside in Madison county.

1804, ch. 59.

Superior court of Adams county may re-examine, and reverse or affirm the judgments of Washington and Madison courts.

When acting as an appellate court, superior court of Adams to consist of two judges.

Legislature authorized to establish superior courts.

Part of a former act repealed.

1804, ch. 59.

STATUTE II.

March 26, 1810.

[Obsolete.]

A general enumeration to be made under the superintendence of the marshals.

they are hereby authorized to elect one representative to the general assembly of said territory, and also to vote for one delegate from said territory, to the Congress of the United States, which election shall be held at the same time, and in the same manner as is or may be provided by law for the elections in the several counties of said territory.

SEC. 2. *And be it further enacted*, That an additional judge shall be appointed for the Mississippi territory, who shall reside in said county of Madison, and have the same compensation, which is by law allowed to the other judges of said territory, and shall possess and exercise the same powers and jurisdiction within said county, which are possessed and exercised in the county of Washington in said territory, by the judge appointed by virtue of an act, entitled "An act for the appointment of an additional judge for the Mississippi territory and for other purposes," passed the twenty-seventh of March, one thousand eight hundred and four.

SEC. 3. *And be it further enacted*, That all final judgments and decrees, rendered in the superior courts of said counties of Washington and Madison, may be re-examined and reversed or affirmed, by the superior court of Adams county in said territory, upon a writ of error issued from said superior court; which said superior court is hereby empowered, upon the reversal of any judgment or decree of said courts of Washington and Madison counties, to render such judgment as the court from whence the cause may have been removed ought to have rendered; except where a jury may be requisite to try issues or assess damages. In which cases the cause shall be remanded to the court where it originated; there to be proceeded in. And said superior court of Adams county, when sitting on the trial of any cause removed as aforesaid, shall be composed of not less than two judges.

SEC. 4. *And be it further enacted*, That the legislature of said territory shall have power and is hereby authorized, to establish a superior court in each county, which has been or may be formed within the bounds which compose the former district or county of Washington, to be holden by the judge who holds the superior court of Washington county in said territory, which courts and the courts of Madison county to be holden at such times and places as said legislature may direct. And all final judgments and decrees to be rendered by any superior court so established, may be re-examined and reversed or affirmed in the manner prescribed by the third section of this act, and the conditions on which any writ of error shall be obtained, and all other proceedings relative thereto, may be regulated by said legislature.

SEC. 5. *And be it further enacted*, That so much of the act, entitled "An act for the appointment of an additional judge for the Mississippi territory, and for other purposes," passed the twenty-seventh day of March, one thousand eight hundred and four, as comes within the purview of this act, be, and the same is hereby repealed.

APPROVED, March 2, 1810.

CHAP. XVII.—*An Act providing for the third census or enumeration of the inhabitants of the United States.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the marshals of the several districts of the United States and of the district of Columbia, and the secretaries of the Mississippi territory, of the Indiana territory, of the Michigan territory, of the Illinois territory, of the Louisiana territory, and

(a) See notes to act of March 1, 1790, chap. 2, vol. i. 101.

of the Orleans territory respectively shall be, and they are hereby authorized and required, under the direction of the Secretary of State, and according to such instructions as he shall give pursuant to this act, to cause the number of the inhabitants within their respective districts and territories to be taken, omitting in such enumeration Indians not taxed, and distinguishing free persons, including those bound to service for a term of years, from all others; distinguishing also the sexes and colours of free persons, and the free males under ten years of age; and those of ten years and under sixteen; those of sixteen and under twenty-six; those of twenty-six and under forty-five; those of forty-five and upwards. And distinguishing free females under ten years of age; those of ten years and under sixteen; those of sixteen and under twenty-six; those of twenty-six and under forty-five; those of forty-five and upwards; for effecting of which, the marshals and secretaries aforesaid shall have power, and hereby are respectively authorized and required, to appoint one or more assistants in each county and city, in their respective districts and territories, residents of the county and city for which they shall be appointed, and shall assign a certain division of his district or territory to each assistant, which division shall not consist of more than one county or city; but may consist of one or more towns, townships, wards, hundreds, or parishes, plainly and distinctly bounded by water courses, mountains, public roads or other monuments: and the said enumeration shall be made by an actual inquiry at every dwelling-house, or of the head of every family within each district, and not otherwise: the marshals or secretaries, as the case may be, and their assistants, shall respectively take an oath or affirmation, before some judge or justice of the peace resident within their respective districts or territories, previous to their entering on the duties by this act required. The oath or affirmation of the marshal or secretary shall be as follows: "I, A. B. marshal of the district of _____ (or secretary of the territory of _____ as the case may be) do solemnly swear, or affirm, that I will well and truly cause to be made, a just and perfect enumeration and description of all persons resident within my district, (or territory) and return the same to the Secretary of State, agreeably to the directions of an act of Congress, entitled An act providing for the third census or enumeration of the inhabitants of the United States, according to the best of my ability." The oath or affirmation of an assistant shall be; "I, A. B. do solemnly swear (or affirm) that I will make a just and perfect enumeration and description of all persons resident within the division assigned to me for that purpose, by the marshal of _____ (or the secretary of the territory of _____ as the case may be) and make due return thereof to the said marshal (or secretary) agreeably to the directions of an act of Congress, entitled An act providing for the third census or enumeration of the inhabitants of the United States, according to the best of my abilities." The enumeration shall commence on the first Monday of August next, and shall close within nine calendar months thereafter. The several assistants shall, within the said nine months, transmit to the marshals or secretaries, by whom they shall be respectively appointed, accurate returns of all persons, except Indians not taxed, within their respective divisions; which returns shall be made in a schedule distinguishing in each county, city, town, township, hundred, ward or parish, the several families, by the names of their master, mistress, steward, overseer, or other principal person therein, in the manner following, that is to say: The number of persons within my division, consisting of _____ appears in a schedule hereto annexed, subscribed by me this _____ day of _____

A. B. assistant to the marshal of _____ or secretary of _____

Classification.

Assistants to be appointed by marshals and secretaries.

Allotment of districts.

Oaths of marshals, &c. &c.

SCHEDULE of the whole number of persons within the division allotted to A. B.

	Name of the county, parish, township, town or city where the family resides.
	Names of head of family.
	Free white males under ten years of age.
	Free white males of ten, and under sixteen.
	Free white males of sixteen, and under twenty-six, including heads of families.
	Free white males of twenty-six, and under forty-five, including heads of families.
	Free white males of forty-five and upwards, including heads of families.
	Free white females under ten years of age.
	Free white females of ten years, and under sixteen.
	Free white females of sixteen, and under twenty-six, including heads of families.
	Free white females of twenty-six, and under forty-five, including heads of families.
	Free white females of forty-five and upwards, including heads of families.
	All other free persons, except Indians, not taxed.
	Slaves.

Penalties for neglecting or making a false return.

Marshals and secretaries to file the several returns, &c.

Penalty.

Judges of the district and territorial courts to give this act in charge to the grand juries, and the returns of the assistants.

SEC. 2. *And be it further enacted*, That every assistant failing or neglecting to make a proper return, or making a false return of the enumeration to the marshal, or the secretary (as the case may be) within the time limited by this act, shall forfeit the sum of two hundred dollars.

SEC. 3. *And be it further enacted*, That the marshals and secretaries shall file the several returns aforesaid, and also an attested copy of the aggregate amount herein after directed to be transmitted by them respectively to the Secretary of State, with the clerks of their respective districts, or superior courts, (as the case may be) who are hereby directed to receive and carefully preserve the same. And the marshals and secretaries, respectively, shall, on or before the first day of March, one thousand eight hundred and eleven, transmit to the Secretary of State, the aggregate amount of each description of persons within their respective districts or territories. And every marshal or secretary failing to file the returns of his assistant or any of them, with the clerks of their respective courts as aforesaid, or failing to return the aggregate amount of each description of persons in their respective districts or territories, as required by this act, and as the same shall appear from said returns to the Secretary of State, within the time limited by this act, shall for every such offence, forfeit the sum of eight hundred dollars; all which forfeitures shall be recoverable in the courts of the districts or territories where the said offences shall be committed, or in the circuit courts to be held within the same, by action of debt, information or indictment; the one half thereof to the use of the United States, and the other half to the informer; but where the prosecution shall be first instituted on behalf of the United States, the whole shall accrue to their use. And for the more effectual discovery of such offences, the judges of the several district courts in the several districts, and of the supreme courts in the territories of the United States, as aforesaid, at their next sessions, to be held after the expiration of the time allowed for making the returns of the enumeration hereby directed to the Secretary of State, shall give this act in charge to the grand juries in their respective courts, and shall cause the returns of the several assistants and the said attested copy of the aggregate amount aforesaid to be laid before them for their inspection.

Rates of compensation.

SEC. 4. *And be it further enacted*, That every assistant shall receive at the rate of one dollar for every hundred persons by him returned, where such persons reside in the country; and where such persons reside in a city or town, containing more than three thousand persons, such assistant shall receive at the rate of one dollar for every three hundred persons; but where, from the dispersed situation of the inhabitants, in some divisions, one dollar for every hundred persons shall be insufficient, the marshals or secretaries, with the approbation of the judges of their respective districts or territories, may make such further allowance to the assistants in such divisions as shall be deemed an adequate compensation; provided the same does not exceed one dollar and twenty-five cents for every fifty persons by them returned. The several marshals and secretaries shall receive as follows: The marshal of the district of Maine, two hundred and fifty dollars; the marshal of the district of New Hampshire, two hundred and fifty dollars; the marshal of the district of Massachusetts, three hundred dollars; the marshal of the district of Rhode Island, one hundred and fifty dollars; the marshal of the district of Connecticut, two hundred dollars; the marshal of the district of Vermont, two hundred and fifty dollars; the marshal of the district of New York, four hundred dollars; the marshal of the district of New Jersey, two hundred dollars; the marshal of the district of Pennsylvania, four hundred dollars; the marshal of the district of Delaware, one hundred dollars; the marshal of the district of Maryland, three hundred dollars; the marshal of the district of Virginia, five hundred dollars; the marshal of the district of Kentucky, three hundred dollars; the marshal of the district of North Carolina, three hundred and fifty dollars; the marshal of the district of South Carolina, three hundred dollars; the marshal of the district of Columbia, fifty dollars; the marshal for the district of Georgia, three hundred dollars; the marshal of the district of East Tennessee, one hundred and fifty dollars; the marshal of the district of West Tennessee, one hundred and fifty dollars; the marshal of the Ohio district, two hundred dollars; the secretary of the Mississippi territory, two hundred dollars; the secretary of the Indiana territory, one hundred dollars; the secretary of the Michigan territory, one hundred dollars; the secretary of the Illinois territory, one hundred dollars; the secretary of the territory of Orleans, one hundred and fifty dollars; the secretary of the territory of Louisiana, one hundred dollars.

Who shall be returned.

SEC. 5. *And be it further enacted*, That every person whose usual place of abode shall be in any family on the aforesaid first Monday of August next, shall be returned, as of such family; and the name of every person who shall be an inhabitant of any district or territory without a settled place of residence, shall be inserted in the column of the schedule, which is allotted for the heads of families, in that division where he or she shall be, on the said first Monday of August next; and every person occasionally absent at the time of enumeration, as belonging to that place in which he or she usually resides in the United States.

Heads of families, &c. to render to the assistants of the marshals an account of the members of their families.

SEC. 6. *And be it further enacted*, That each and every free person more than sixteen years of age, whether heads of families or not, belonging to any family within any division, district, or territory, made or established within the United States, shall be, and hereby is obliged to render to such assistant of the division, if required, a true account, to the best of his or her knowledge, of all and every person belonging to such family respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered in an action of debt, by such assistant, the one half for his own use, and the other half to the use of the United States.

Schedule of the number of

SEC. 7. *And be it further enacted*, That each and every assistant previous to making his return to the marshal or secretary, (as the case

inhabitants to be set up in public places by the assistants in their divisions or districts.

Penalty.

Secretary of State to send to the assistants regulations and instructions pursuant to this act.

Where there is no secretary in a territory the governor to perform the duties prescribed by this act.

may be) shall cause a correct copy, signed by himself, of the schedule containing the number of inhabitants within his division, to be set up at two of the most public places within the same, there to remain for the inspection of all concerned; for each of which copies the said assistant shall be entitled to receive two dollars, provided proof of the schedule having been so set up and suffered to remain, shall be transmitted to the marshal or secretary, (as the case may be) with the return of the number of persons; and in case any assistant shall fail to make such proof to the marshal or secretary, as aforesaid, he shall forfeit the compensation by this act allowed him.

SEC. 8. *And be it further enacted*, That the Secretary of State shall be and hereby is authorized and required to transmit to the marshals of the several states, and to the secretaries aforesaid, regulations and instructions pursuant to this act, for carrying the same into effect, and also, the forms contained therein of the schedule to be returned, and proper interrogatories to be administered by the several persons to be employed therein.

SEC. 9. *And be it further enacted*, That in case there shall be no secretary in either of the territories of the United States, the duties directed by this act to be performed by the secretary may be performed by the governor of such territory, who shall receive the same compensation to which the secretary would be entitled for the performance of said duties, and be subject to the same penalties.

APPROVED, March 26, 1810.

STATUTE II.

March 26, 1810.

Act of Feb. 24, 1807, ch. 16, sec. 4.

Terms of the district court at Chillicothe changed.

Returns, &c. &c. to correspond with the change.

CHAP. XVIII.—*An Act for altering the time for holding the District Court in Ohio.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sessions of the district court for the district of Ohio, by law appointed to be holden at Chillicothe, in the said district, on the first Mondays in February, June and October, shall hereafter be holden at Chillicothe, on the second Mondays of September and January annually.

SEC. 2. *And be it further enacted*, That all writs, process, and recognizances which may have been made returnable, and all suits, causes, process and proceedings, which may have been continued to the first Monday of June next, shall be and hereby are made returnable and continued over to the session of said court, which shall be holden on the second Monday of September next, and shall be as valid and proceeded on in the same manner, at said September session of said court, as if such writs, process, recognizances, suits, causes and proceedings had been originally made returnable to, and continued to said September session of said court.

APPROVED, March 26, 1810.

STATUTE II.

March 26, 1810.

To what vessels sea letters, &c. &c. may be granted, after June 30, 1810.

CHAP. XIX.—*An Act to prevent the issuing of sea letters except to certain vessels.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the thirtieth of June next, no sea letter or other document certifying or proving any ship or vessel to be the property of a citizen or citizens of the United States, shall be issued except to ships or vessels duly registered, or enrolled and licensed as ships or vessels of the United States, or to vessels which at that time shall be wholly owned by citizens of the United States, and furnished with or entitled to sea letters or other custom-house documents, any law or laws heretofore passed to the contrary

notwithstanding: *Provided nevertheless*, that no sea letter shall be issued to any vessel which shall not at this time be furnished or entitled to a sea letter, unless such vessel shall return to some port or place in the United States or territories thereof on or before the said thirtieth day of June next: *Provided nevertheless*, that no sea letter or other document, certifying or proving any ship or vessel to be the property of a citizen or citizens of the United States, shall be issued to any vessel now abroad, which shall not at this time be furnished or entitled to a sea letter, unless such vessel shall arrive at some port or place in the United States or territories thereof, on or before the said thirtieth day of June next; and provided that nothing herein contained shall be construed to operate against any such vessel or vessels that now are, or may be, prior to the said thirtieth of June, detained abroad by the authority of any foreign power.

APPROVED, March 26, 1810.

No sea letter to issue to any vessel unless such vessel return to the U. States before 30th June next.

Proviso in favour of vessels detained abroad by any foreign power.

STATUTE II.

CHAP. XX.—*An Act making an appropriation for the purpose of trying the practical use of the Torpedo or Submarine Explosion.*

March 30, 1810.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a sum not exceeding five thousand dollars be, and the same is hereby appropriated, payable out of any money in the treasury not otherwise appropriated, to defray the expense which shall be incurred in any actual experiments, when the President of the United States shall deem it expedient to cause such experiments to be made, which shall be made under the immediate direction of the Secretary of the Navy, for the purpose of ascertaining with precision how far the torpedo or submarine explosions may be usefully employed as engines of war, who is hereby directed to report to Congress the result of the experiment with his opinion thereon.

Appropriation to defray the expenses of experiments with the torpedo as an engine of war.

APPROVED, March 30, 1810.

STATUTE II.

CHAP. XXI.—*An Act to make public a Road in Washington County, in the District of Columbia.*

March 30, 1810.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the road heretofore opened by the consent of the owners of the land over which the same passed, from the line of the district of Columbia, through the land of John Masters and John L. Naylor, to the lower bridge over the eastern branch of Potomac river, shall be, and is hereby declared to be a public highway; and shall be kept in repair, as other public roads in Washington county, in the district of Columbia, are kept in repair.

Road to the lower eastern branch bridge to be opened and kept in repair.

SEC. 2. *And be it further enacted*, That three commissioners to be mutually appointed by the levy court of the county of Washington, in the district of Columbia, and the proprietors of the land over which the said road does or may pass or be laid out, be, and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorized and empowered to review the said road, and to cause the same to be surveyed and laid out, not exceeding thirty feet in width, and to cause a plot to be made thereof, and return the same, under their hands and seals, to the clerk of Washington county, to be by him recorded among the land records of said county.

Commissioners to be appointed by the levy court of Washington to lay out the road, and make return to the clerk of Washington county.

SEC. 3. *And be it further enacted*, That the said commissioners, or a majority of them, shall ascertain and value the damage which any person, through whose land the said road passes, may sustain, by making the said road a public highway, and shall return to the levy court of Washington county a certificate of such valuation, the amount of which shall

Damages to be ascertained by them to be paid by the county.

be levied by said court on the assessable property of said county and the city of Washington, and paid over to the person or persons entitled to receive the same.

APPROVED, March 30, 1810.

STATUTE II.

April 12, 1810.

Act of March
26, 1810, ch. 17.

CHAP. XXIII.—*An Act to alter and amend an act, entitled "An act providing for the third census or enumeration of the inhabitants of the United States," passed the twenty-sixth day of March, one thousand eight hundred and ten.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the enumeration mentioned in the first section of the act hereby amended, shall close within five months from the first Monday in August next, and the assistants shall make their returns to the marshals and secretaries within the said five months, any thing in the said act to the contrary notwithstanding.

APPROVED, April 12, 1810.

STATUTE II.

April 20, 1810.

Commission-
ers for receiving
subscriptions.

CHAP. XXVI.—*An Act to incorporate a company for making certain turnpike roads in the District of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Daniel Carrol, of Duddington, George W. P. Custis, Thomas Fenwick, John Tayloe, Samuel Harrison Smith, Daniel Brent, Daniel Rapine, Frederick May, Elias B. Caldwell, William Brent, James D. Barry and John Law, be, and they are hereby appointed and constituted a board of commissioners, a majority of whom to constitute a quorum, with full power to receive and enter in such book or books, as they may deem proper, by themselves or by their agents, subscriptions for raising a capital stock of sixty thousand dollars, in shares of one hundred dollars each, for the purpose of opening, gravelling and improving the following roads in the district of Columbia, to wit: One road from the boundary line of the city of Washington, to the boundary line of the district of Columbia, in the most direct and practicable route from the Capitol to Baltimore. One road from the boundary line of the city of Washington, to the boundary line of the district of Columbia, in the most direct and practicable route from the Capitol to Montgomery Courthouse; and one road from the western extremity of the causeway leading from Alexander's island to the boundary line of the district of Columbia, in the most direct and practicable route towards the Little river turnpike road, in the state of Virginia. The times, places and manner of receiving and entering subscriptions, and the manner of authenticating powers of attorney, or other instruments of writing authorizing subscriptions to be made by any person or persons in the name of any other person or persons, to be ascertained by said board of commissioners, and duly advertised in such gazettes or public prints, as they may deem expedient: *Provided,* that no subscription shall be received, unless the sum of ten dollars be first paid into the hands of such agent or other person, as said commissioners may authorize to receive it.

Direction or
course of the
roads to be
opened, gravel-
led and improv-
ed.

The times,
places and man-
ner of receiving
subscriptions, to
be determined
by the commis-
sioners.

Proviso.

When 150
shares shall
have been sub-
scribed, the
commissioners
to give notice,
that there may
be a meeting of
the stockholders
to choose di-
rectors.

SEC. 2. *And be it further enacted,* That when any number of persons shall have subscribed one hundred and fifty shares or more of the said stock, the said commissioners, or a majority of them, may, and when the whole number of shares aforesaid shall be subscribed, shall give notice in some newspaper, printed in the district of Columbia, of a time and place to be by them appointed for the subscribers to proceed to organize the said corporation, at which time and place the said subscribers, by a majority of votes to be delivered by ballots in person, or by proxy duly authorized, shall elect one president and four directors, to conduct the business of said company for one year, and until other

such officers shall be chosen in their place; and at that or any subsequent legal meeting of stockholders, may make such rules, orders and regulations, not inconsistent with the constitution and laws of the United States, as shall be necessary for the well being of the affairs of said company: *Provided always*, that no stockholder shall, in person or by proxy, have more than twenty-five votes at any election, or in determining any question arising at such meeting, whatever number of shares he or she may hold: and each stockholder, in person or by proxy, shall be entitled to one vote for every share by him or her held, not exceeding said number, and all persons who may then be, or thereafter may become, the actual holders or proprietors of shares in the said capital stock, either as subscribers for the same, or as the legal representatives, successors or assignees, of such subscribers, shall become one body politic and corporate, in deed and in law, by the name and style of the "President, Directors and Company of the Columbia Turnpike Roads;" and by the said name shall have perpetual succession, and all the privileges incident to a corporation, and shall be capable of taking and holding their said capital stock, and the increase and profits thereof, and of enlarging the same by new subscriptions, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking, and holding to them, and their successors and assigns in fee simple, or for any lesser estate, all such lands, tenements, hereditaments and estate, real and personal, as shall be necessary or useful to them in the prosecution of their works, and of suing and being sued, of having a common seal, the same breaking and altering at pleasure, and of doing all and every other matter and thing concerning the subject aforesaid, which a corporation or body politic may lawfully do.

Proviso.

SEC. 3. *And be it further enacted*, That the said company shall meet on the first Monday in January, in every year, at such place as shall be fixed by their by-laws, for the purpose of choosing such officers as aforesaid for the ensuing year, in manner aforesaid, and at such other times as they shall be summoned by the president and directors aforesaid, at which annual or special meetings, they shall have full power and authority to do and perform any act by law allowed, and pertaining to the affairs of said company; and the president and directors for the time being, shall hold their offices until others shall be appointed in their places, and the said corporation shall not be deemed to be dissolved, by reason of any defect of officers, but if it should happen that there should be no president or directors competent to call a meeting of stockholders, the same may be called by any stockholder, for the purpose of electing such officers, giving thirty days notice of the time and place of such meeting, by advertisement in a newspaper, printed in the city of Washington.

Annual meetings of the company for choosing directors, &c. &c.

SEC. 4. *And be it further enacted*, That the president and directors shall procure printed certificates for all the shares of said stock, and shall deliver one such certificate, signed by the president, to each person for every share by him or her subscribed and held, which certificate shall be transferable, at his or her pleasure, in person or by attorney, in the presence of the president, clerk, or treasurer, of said company, who shall witness the same, subject however to all payments due or to grow due thereupon: and the assignee holding any such certificate, having caused the assignment to be entered in a book of the company to be kept for that purpose, shall be a member of said company, and for every certificate by him held, shall be entitled to one share in the capital stock and estate of said company; and if any stockholder, after thirty days' public notice in a newspaper printed in the city of Washington, of the time and place appointed for the payment of any portion or dividend of the sum subscribed in said stock, shall neglect to pay the same for the space of thirty days after the time so appointed, the share or shares on which

Printed certificates to be delivered to the stockholders and made transferable.

Assignees to become members of the company.

Shares of delinquent stockholders may be sold at public auction.

Deficiencies of instalments may be recovered by warrants.

Times and places of the meetings of the president and directors—their duties, powers, &c. &c.

Commissioners to be appointed by the court or judges of Washington county to view the ground for the roads, ascertain the damages, and make report, &c. &c.

such delinquency has taken place may be sold at public auction, and transferred by them to any person or persons, willing to purchase for such price as can be obtained; or in case any proprietor shall fail to pay any instalment which shall be duly assessed, such instalment or any part thereof that shall remain deficient or unpaid, may be recovered of the person or persons, so failing to pay, by warrant from a justice of the peace, if the amount shall not exceed twenty dollars, and if the sum so due shall exceed twenty dollars, the same may be recovered by motion, in the name of the said company, on ten days' notice, in any court of record in the county or district where the debtor may be found; or by action at law in the usual course of judicial proceedings, at the option of the said president and directors; and in all such warrants, motions or actions, the certificate of the clerk or recording officer of the said company shall be conclusive evidence of the defendant's being a member of the company, and prima facie evidence of the amount due on the share or shares held by such defendant.

SEC. 5. *And be it further enacted*, That the said president and directors shall meet at such times and places as shall be agreed upon for transacting their business; at which meetings any three members shall form a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of all their transactions, fairly entered in a book; and a quorum being met, they shall have full power and authority to appoint a treasurer and all other officers necessary or convenient, and agree with and appoint all such surveyors, intendants, artists, or other agents as they shall judge necessary to carry on the intended works, and to fix their salaries, wages or compensation; to direct and order the times, manner and proportions, when and in which the stockholders shall pay monies due on their respective shares; to draw orders on the treasurer for all monies due from the said company, and generally to do and transact all such other matters, acts and things as by the by-laws, rules and regulations of said company, shall be required or permitted.

SEC. 6. *And be it further enacted*, That upon application of the said president and directors of the said company to the circuit court of the district of Columbia, or to the judges thereof out of court, the said court or the judges, or any two of the judges thereof out of court, shall appoint three commissioners not interested in any of the lands through which either of the said roads may be laid out, nor interested in the stock of the company hereby created, nor in the stock of any other turnpike company, who shall each receive from the said president, directors and company, two dollars for every day they shall respectively be actually necessarily employed in or about the affairs of the said company. And each of the said commissioners, before he proceeds to act as such, shall take and subscribe an oath or solemn affirmation, in the presence of a justice of the peace, "that he will well, faithfully and impartially, according to the best [of] his skill and judgment, and without unnecessary delay, execute and perform all the duties required of him as a commissioner, under the sixth section of the act of Congress, entitled "An act to incorporate a company for making certain turnpike roads in the district of Columbia," which oaths or affirmations so subscribed and certified by the justice in whose presence they shall be severally taken and subscribed, shall be filed in the office of the clerk of the said circuit court, and enrolled among the land records of the county of Washington. And the said commissioners or any two of them, being qualified as aforesaid, shall, upon the request of the said president and directors cause to be surveyed, laid out, ascertained, described and marked, by certain metes and bounds, each of the aforesaid turnpike roads, described in the first section of this act, not less than sixty-six feet in breadth, in such routes, tracts, or courses for the same respectively as in the best of their judg-

ment will combine shortness of distance with the most convenient ground, and the smallest expense of money; and for this purpose it shall be lawful for them and such agents, assistants, servants or attendants as they may think proper to employ, to enter upon any of the lands through or near which the said roads or either of them, may be laid out; having first given twenty days' public notice, in some newspaper printed in the city of Washington, of the time and place of their entering on the said business of surveying and laying out each road respectively. And if any proprietor of any part of the lands, through which either of the said roads may be laid out, shall require compensation for so much of his or her said lands as may be occupied by the said roads or either of them, or shall claim damages for or on account of the opening or laying out the said roads, or either of them, through his or her land, and if the said president and directors cannot agree with such proprietor respecting the same, then the said commissioners, at the request of either party, shall appoint a day and place to hear and decide upon such claim, and the amount of compensation and damages which such proprietor shall be entitled to receive from the said president, directors and company, therefore, first giving twenty days' notice to the adverse party, his or her agent or attorney in fact, or other legal representative, if either shall be within the district of Columbia; and if the party so notified shall fail to attend, or if the party shall be an infant under age, *non compos mentis*, *feme covert*, or absent out of the district of Columbia, and have no known agent or other legal representatives therein, then the said commissioners may proceed *ex parte* to hear and decide the same; and the award of them or any two of them made in writing, signed by them or any two of them, shall by them be returned to the office of the clerk of the said court for the county of Washington, within ten days after such hearing, and a copy thereof shall, within ten days after such return, be served upon such of the parties as are resident in the district of Columbia; and if such award be not at the session of the said circuit court, in the county of Washington, next after such return of the said award to the clerk's office, be set aside on account of fraud or partiality in the said commissioners, the same shall be final and conclusive between the parties, and shall be recorded by the said clerk; and the sum so awarded being paid to the said clerk for the use of the person entitled to receive the same, the said land mentioned and described in the said award shall and may be taken and occupied as a turnpike road, and public highway for ever. And the said commissioners, upon completing the said survey of the said roads, or either of them, shall return a plat and certificate of such survey to the said clerk, and the same being accepted by the said court, shall be recorded by the said clerk, and thereupon the road so laid out shall be taken, used and occupied as a turnpike road and public highway for ever; and the said president, directors and company may thereupon proceed to enter upon the same, and shall cause at least twenty-four feet in breadth, throughout the whole length thereof, to be made an artificial road, of stone, gravel, or other hard substance of sufficient depth or thickness to secure a solid and firm road, with a surface as smooth as the materials will admit, and so nearly level, that it shall in no case rise or fall more than an angle of four degrees with a horizontal line, and the said road shall thereafter be kept in good and perfect repair; and wheresoever upon the said roads any bridge shall be deemed necessary, the same shall be built of sound and suitable materials. And in case either of the said commissioners should die, or refuse to act, or become incapacitated, or should be removed by the court for misconduct, the said court may appoint another in his place; and when in the opinion of the said president and directors either of the said roads shall be completed to the extent of twenty-four feet in breadth, the same shall be examined by the said commissioners, or any two of them and if in

Commissioners to be appointed by the court, &c. &c.

Dimensions and quality of the roads.

Rates of tolls,

the opinion of them, or any two of them the said road should have been completed to the extent of at least twenty-four feet in breadth, according to the meaning of this act, they shall certify the same to the said circuit court, or the judges thereof out of court, and their certificate being accepted by the said court, or any two judges thereof, and recorded, the said president and directors shall and may thereafter erect and fix such and so many gates and turnpikes, not exceeding two upon and across each of the said roads, as shall be necessary and sufficient to collect the tolls herein after granted to the said company; and it shall be lawful for them to appoint such and so many toll-gatherers as they shall deem necessary to collect and receive of and from all and every person and persons using the said road or roads, the tolls and rates herein after mentioned, and to stop any person or persons, riding, leading or driving any horses, mules, cattle, hogs, sheep, sulkey, chair, chaise, phaeton, chariot, coach, cart, wagon, sleigh, sled, or any carriage of burden or pleasure from passing through the said gates, until the said tolls shall be paid, that is to say: for the whole distance in length of the whole of the said roads, and so in proportion as near as may be, for any less distance within the district of Columbia, viz: for every score of sheep, twenty cents; for every score of hogs, twenty cents; for every score of cattle, forty cents, and so in proportion for any greater or less number; for every horse or mule with a rider, twelve and an half cents; for every stage and wagon and two horses, thirty cents; for either carriage last mentioned with four horses, forty cents; for every led or driven horse or mule, six cents; for every sulkey, chair, chaise or carriage of pleasure with two wheels and one horse, twenty cents; for every coach, chariot, coachee, phaeton, or chaise with four wheels and two horses, thirty-seven and an half cents; for any of the said carriages last mentioned with four horses, fifty cents; for every other carriage of pleasure, under whatever name it may go, the like sums according to the number of wheels and horses in proportion aforesaid; for every sled or sleigh used as a carriage of pleasure, twelve and an half cents for each horse drawing the same; for every sled or sleigh used as a carriage of burden, eight cents for each horse drawing the same; for every cart or wagon whose wheels do not exceed four inches in breadth, twelve and an half cents for each horse drawing the same; for every cart or wagon whose wheels shall exceed in breadth four inches and not exceed seven inches, six cents for every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall be more than seven inches and not more than ten inches, five cents for every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall be more than ten inches and not exceed twelve inches, four cents for every horse drawing the same. And that all such carriages as aforesaid, to be drawn by oxen in the whole, or partly by oxen, or to be drawn by mules in whole or part, two oxen shall be estimated as equal to one horse in charging all the aforesaid tolls, and every mule as equal to one horse. And it shall be also the duty of the said commissioners after hearing all parties to decide and award what proportion of the cost already incurred of making the causeway from Alexander's island to the main land, and of the road from the said causeway to the west end of the Washington bridge, shall be paid by the president, directors and company of the Columbia turnpike roads, to the president and directors of the Washington and Alexandria turnpike company, and also, in what proportion the former company shall contribute and pay towards the future repairs and improvements of the said causeway and road; and the award of the said commissioners, or any two of them so made, shall be returned to the office of the clerk of the said court for the county of Washington, and being accepted by the said court and recorded, shall be final and conclusive.

Commissioners to decide what is to be paid to the Washington and Alexandria turnpike company.

SEC. 7. *And be it further enacted*, That in all cases where stone,

gravel, earth or sand shall be necessary for making or repairing either of the said roads, and the said president, directors and company of the Columbia turnpike roads, cannot agree for the same with the owner thereof, then upon application by the said president and directors, or any person authorized by them, to any one of the judges of the said circuit court, he may if he see cause, by warrant under his hand and seal, command the marshal of the said district to summon a jury of thirteen disinterested persons, qualified to serve as petit jurors in the said circuit court, to meet at the place where such materials may be, on some day, not more than ten days after the date of such warrant, and to give the other party five days' notice of the said time and place, if such party be found within the district of Columbia; and if any of the said jurors should fail to attend at the said time and place, the marshal may immediately summon talesmen in the place of those who are absent, and shall administer an oath to the said jurors and talesmen as the case may be, justly and impartially to value the said materials, and to assess the damage which the owner thereof shall sustain by the taking thereof by the said president, directors and company of the Columbia turnpike roads; which valuation and assessment of damages made by the said jurors, or a majority of them, shall be signed by the said marshal, and the jurors, or so many of them as shall agree thereto, and be returned by the marshal to the said clerk of the said court for the county of Washington, to be by him recorded, and shall be conclusive between the parties; and a copy thereof shall be delivered to each of the parties, who may be resident in the district, and the sum so awarded and assessed being paid to the said clerk of the said court, for the use of the party entitled thereto, the said president and directors may proceed to take and carry away the said materials so valued for the purposes aforesaid. And the said president, directors and company, shall pay the said marshal five dollars for his service in summoning and impannelling the said jury, and taking and returning the said inquest, and two dollars to each of the said jurors so sworn.

SEC. 8. *And be it further enacted*, That for the purpose of ascertaining the weight, that may be drawn along the said road, in any cart, wagon, or other carriage of burthen, it shall and may be lawful, for the said president, managers and company to erect and establish scales and weights at or near such and so many of the gates erected, or to be erected in pursuance of this act, as they may think proper; and where there may seem reasonable cause to suspect, that any cart, wagon or other carriage of burthen, carries a greater weight than is or shall be by law allowable, it shall be lawful for the toll gatherers or other persons in their service or employment, to prevent the same from passing such gate or turnpike, until such cart, wagon or carriage of burthen, shall be drawn into the fixed or erected scales at or near any such gate or turnpike, and the weight or burthen drawn therein ascertained by weighing; and if the person or persons driving, or having care or charge of any such cart, wagon or other carriage of burthen, shall refuse to drive the same into any such scales for the purpose aforesaid, the person or persons so refusing shall forfeit and pay to the said president, managers and company, any sum not less than five dollars, nor more than eight dollars, to be recovered in the manner herein after mentioned.

SEC. 9. *And be it further enacted*, That no wagon or other carriage with four wheels, the breadth of whose wheels shall not be four inches, shall be drawn along the said road with a greater weight thereon than three tons; that no such carriage, the breadth of whose wheels shall not be seven inches, or being six inches or more shall roll at least ten inches, shall be drawn along the said roads with more than five tons; that no such carriage, the breadth of whose wheels shall not be ten inches or more, or being less shall not roll at least twelve inches, shall

In case of disagreement as to the value of materials, the marshal to summon a jury for determining it.

Compensation to the marshal and jurors.

Scales to be erected for ascertaining burdens passing over the roads when there is any doubt in the case.

Restrictions.

be drawn along the said road, with more than eight tons; that no cart or other carriage with two wheels, the same breadth of wheels, as the wagons aforesaid, shall be drawn along the said road with more than half the burthen or weight aforesaid; and if any cart, wagon or carriage of burthen whatsoever, shall be drawn along the said road, with a greater weight than is hereby allowed, the owner or owners of such carriage, if the excess of burthen shall be three hundred weight or upwards, shall forfeit and pay four times the customary tolls for the use of the company: *Provided always*, that it shall and may be lawful for the said company by their by-laws, to alter any or all the regulations herein contained respecting the burthens or carriages to be drawn over the said road, and to substitute other regulations, if upon experiment such alterations shall be found conducive to the public good: *Provided nevertheless*, that such regulations shall not lessen the burthens of carriages above described.

Proviso.

Proviso.

SEC. 10. *And be it further enacted*, That the president and directors of the said company shall keep, or cause to be kept, fair and just accounts of all monies to be received by them from the said commissioners, first herein named, and from the stockholders or subscribers to the said undertaking, on account of their several subscriptions or shares, and of all monies by them to be expended, in the prosecution of their said work, and shall once, at least, in every year submit such accounts to a general meeting of the stockholders, until the said road shall be completed, and until all the costs, charges and expenses of effecting the same shall be fully liquidated, paid and discharged; and if upon such liquidation, or whenever the whole capital stock of the said company shall be nearly expended, it shall be found that the said capital stock will not be sufficient to complete the said roads, according to the true intent and meaning of this act, it shall and may be lawful for the said stockholders, being convened according to the provisions of this act, or their by-laws and rules, to increase the amount to be paid on the shares from time to time to such extent as shall be necessary to accomplish the work, and to demand and receive the increased amount so to be required on such shares in like manner, and under the like penalties as are herein before provided for the original payments, or as shall be provided by their by-laws.

Dividends,
how to be made
and accounted
for.

SEC. 11. *And be it further enacted*, That the said president and directors shall also keep, or cause to be kept, just and true accounts of all monies to be received by their several collectors of tolls at the turn-pike gates on the said roads, and shall make and declare a half yearly dividend of the clear profits and income thereof, all contingent costs and charges being first deducted, among all the holders of said stock, and shall publish the half yearly dividend aforesaid in some newspaper printed in the district of Columbia, and at the time and place when and where the same will be paid, and shall cause the same to be paid accordingly.

Roads to be
kept in repair.

SEC. 12. *And be it further enacted*, That it shall be the duty of the said corporation, to keep the said roads, as they are respectively completed, in good repair; and if in neglect of their said duty, the said corporation shall at any time suffer the said roads to be out of repair, so as to be unsafe or inconvenient for passengers, the said corporation shall be liable to be presented for such neglect, before any court of competent jurisdiction, and upon conviction thereof, to pay to the United States, a penalty not exceeding one hundred dollars, at the discretion of the court, and shall also be responsible for all damages which may be sustained by any person or persons in consequence of such want of repair, to be recovered in an action of trespass on the case in any court competent to try the same: *Provided always, and it is further enacted*, that whenever the nett proceeds of tolls collected on said roads shall amount to a sum

Penalty.

Proviso.

sufficient to reimburse the capital which shall be expended in the purchase of such land and making said roads, and twelve per cent. interest per annum thereon, to be ascertained by the circuit court of the United States, in and for the district of Columbia, the same shall become free roads, and tolls shall be no longer collected thereon; and said company shall annually make returns to said circuit court of the amount of the tolls collected, and of their necessary expenses, so as to enable said circuit court to determine when said tolls shall cease.

When the roads shall become free.

SEC. 13. *And be it further enacted*, That if any person or persons, riding in or driving any carriage of any kind, or leading, riding, or driving any horses, sheep, hogs, or any kind of cattle whatever, on said road, shall pass through any private gate, bars or fence, or over any private way or passage, or pass through any toll gate under any pretended privilege or exemption, to which he or she, or they may not be entitled, or do any act or thing with intent to lessen or evade the tolls for passing through the gates established under this act, such person or persons, for every such offence, shall forfeit to the said president and directors, not less than three, nor more than ten dollars, to be recovered before any justice of the peace, with costs, in the same manner that small debts are recoverable: *Provided*, that it shall not be lawful for the company to ask, demand or receive from or for persons living on or adjacent to the said roads, who may have occasion to pass by said road upon the ordinary business relating to their farms, so far as the limits of the same may extend on the roads respectively, who shall not have any other convenient road or way, by which they may pass, from one part to another part thereof, any toll for passing on, or by either of the said turnpikes.

Penalty for evading payment of tolls.

Proviso.

APPROVED, April 20, 1810.

STATUTE II.

CHAP. XXVII.—*An Act to amend an act, entitled "An act for the establishment of a Turnpike Company in the County of Alexandria, in the District of Columbia."*

April 25, 1810.

Act of March 3, 1809, ch. 31

Mode of obtaining stone or gravel where it is necessary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall and may be lawful to and for the president and directors of the Washington and Alexandria turnpike company, in all cases where stone, gravel, earth or sand, may be necessary for making or repairing the Washington and Alexandria turnpike road, and the president and directors of the Washington and Alexandria turnpike company cannot agree for the same with the owners thereof, it shall and may be lawful for any one of the judges of the circuit court of the district of Columbia, upon application by the said president and directors, or any person authorized by them, by warrant under his hand and seal, to command the marshal of the said district to summon a jury of thirteen disinterested persons, qualified to serve as petit jurors in the said circuit court, to meet at the place where such materials may be, on some day not more than ten after the date of such warrant, and to give the other party five days' notice of the time and place, if such party be found within the district of Columbia, and if any of the said jurors should fail to attend at the said time and place, the marshal may immediately summon talesmen in the place of those who are absent, and shall administer an oath to the said jurors or talesmen as the case may be, justly and impartially to value the said materials, and to assess the damage which the owner thereof shall sustain by the taking thereof by the said president and directors, which valuation and assessment of damages made by the said jurors or a majority of them, shall be signed by the said marshal and the jurors, or so many of them, as shall agree thereto, and be returned to the clerk of the said court for the county of Alexandria, to be by him recorded, and shall be conclusive between the parties; and a copy thereof shall be delivered to each of the

parties who may be resident in the said district of Columbia, and the sum so awarded and assessed being paid to the said clerk of the said court, for the use of the party entitled thereto, the said president and directors may proceed to take and carry away the said materials so valued for the purposes aforesaid, and the said president and directors shall pay the said marshal five dollars for his service in summoning and impanneling the said jury, and taking and returning said inquest, and two dollars to each of the said jurors so sworn.

Toll gate may be removed.

Proviso.

Mode of obtaining the ground for a new toll house, &c. &c.

Corporation authorized to increase the number of shares.

SEC. 2. *And be it further enacted*, That the president and directors aforesaid, may remove their toll gate from the bridge that is made across Four mile creek, and place the same, and collect the tolls of their said road and bridge, on any part of the said road: *Provided*, that the said toll gate shall not be placed any nearer to the town of Alexandria, than where it now stands, nor more than half a mile from where it now is.

SEC. 3. *And be it further enacted*, That it shall and may be lawful for the president and directors of the said company, or a majority of them, to agree with the owners of any ground, to be occupied by the necessary toll houses and gates, for the right thereof, or in case of disagreement, or in case the owner thereof shall be a *feme covert*, under age, *non compos*, or out of the district, then the same shall be condemned, and paid for in the same manner, and subject to the same conditions as is provided by the act to which this is a supplement, for condemning the lands through which the road was to be conducted: *Provided*, the quantity of land so condemned, does not exceed half an acre.

SEC. 4. *And be it further enacted*, That to enable the said company immediately to complete and render sufficient the said road, according to the true intent and meaning of the said recited act, it shall and may be lawful for the stockholders of the said company, at any general meeting at which a majority of them in person, or by proxy, shall be present, to increase the number of shares, to such extent as shall be necessary to accomplish the work, on the road aforesaid, as now laid out, and to demand and receive the money subscribed for such shares in the like manner, and under the like penalties, as therein provided, for the original subscriptions.

APPROVED, April 25, 1810.

STATUTE II.

April 25, 1810.

CHAP. XXIX.—*An Act to allow the benefit of drawback on merchandise transported by land conveyance from Newport to Boston, and from Boston to Newport, in like manner as if the same were transported coastwise.*

All goods imported into Boston and Newport which shall be conveyed by Rhode Island bridge and Taunton, or exported by the same routes from Boston, shall be entitled to the benefit of a drawback upon exportation to a foreign port.

Act of March 2, 1799, ch. 22.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all goods, wares and merchandise, duly imported into either of the ports of Boston and Newport, which shall be transported by land conveyance from the port of Newport, by the way of Rhode Island bridge and Taunton, to Boston; or from Boston, by the same route, to Newport, and which being imported into Newport, shall be exported from Boston: or which being imported into Boston shall be exported from Newport, shall be entitled to the benefit of a drawback of the duties upon exportation, to any foreign port or place, under the same provisions, regulations, restrictions and limitations, as if the said goods, wares and merchandise were transported coastwise from one to another of the said districts; and on the proviso that all the provisions, regulations, limitations and restrictions existing in the case of goods, wares and merchandise, transported by any of the routes mentioned in the seventy-ninth section of the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second of March, one thousand seven hundred and ninety-nine, shall be duly observed.

APPROVED, April 25, 1810.

CHAP. XXX.—*An Act to establish Post Roads.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads:

In the District of Maine.—From Portsmouth, N. H. by Kittery, York, Wells, Arundell, Biddeford, Saco, Scarboro', Cape Elizabeth, Portland, Falmouth, North Yarmouth, Freeport, Brunswick, Bath, Woolwich, Wiscasset, New Castle, Waldoboro', Warren, Camden, Canaan, Lincolnville, Northport, Belfast, Prospect, Buckstown, Orland, Trenton, Sullivan, Steuben, Harrington, Addison, Jones, Machias, Denneysville and Scodic, to Calais. From Dover, N. H. by Berwick and Doutsfalls, to Arundel or Kennebunk. From Portland, by Gorham, Buckstown, Limerick, Limington, Cornish, Parsonfield, Newfield, Shapleigh, Lebanon, Berwick, Sanford, Alfred, Waterboro' and Philipsburg, to Buxton. From Portland, by Saccarappee, Gorham, Standish, Flintstown, Hiram and Brownfield, to Frybush. From Portland, by Windham, Raymond, Bridgetown, Lovell, Waterford, Norway, Paris, Buckfield, Sumner, Hartford, Livermore, Turner, Poland, New Gloucester and Hebron academy, to Paris. From Portland, by Falmouth, Gray, New Gloucester, Lewistown, Green, Moumouth, Winthrop, Augusta, Sydney, Waterville, Fairfield and Canaan, to Norridgewock and Anson. From Brunswick, by Topsham, Bowdoinham, Gardiner and Hallowell, to Augusta. From Gardiner, by Pittstown and Dresden, to Wiscassett. From Augusta, by Redfield, Mount Vernon, Chester and New Sharon, to Farmington. From Augusta, by Vassalboro', Winslow, Clinton, Fairfax, Unity and Collegetown, to Hampden. From Wiscassett, by Edgecomb, to Boothbay. From Wiscassett, by New Milford, Jefferson, Palermo and Montville, to Belfast. From Buckstown, by Frankfort, Hampden and Bangor, to No. 1, 7th Range, and thence by Orrington, to Buckstown. From Buckstown, by Penobscot, Castine, Sedgwick and Blue Hill, to Buckstown, and from Castine to Lincolnville. From Sullivan to Goldsboro'. From Dennysville to Eastport.

In New Hampshire.—From Salisbury, Ms. by Scabrook and Hampton, to Portsmouth. From Portsmouth, by Durham and Northwood, to Concord. From Portsmouth, by Exeter and Kingston, to Haverhill, Ms. From Portsmouth, by Exeter, Chester, Londonderry, Merrimack, Amherst, Petersboro', Marlboro' and Keene, to Walpole. From Haverhill, Ms. by Chester, Concord, Hopkinton, Henniker and Lempster, to Charleston. From Haverhill, Ms. by Salem, to Windham. From Tyngboro', Ms. by Dunstable, Amherst, Francistown, Washington and Claremont, to Windsor, Vt. From Portsmouth, by Nottingham, Epsom, Pembroke, Concord, Salisbury, Andover, Wilmot, Enfield, Lebanon, Hanover, Lime, Orford, Piermont, Haverhill, Bath, Littleton, Dalton, Lancaster, Cockburn, Colebrook and Stuart, to Norfolk, Vt. From Hanover, by Canaan and Groton, to Plymouth. From Salisbury, by Andover, New Chester and Bridgewater, to Plymouth, thence by Holderness, New Hampton and Sanbornton, to Salisbury. From Newburyport, Ms. by Exeter, New Market, Durham, Dover and Barrington, to Gilmanton. From Portsmouth, by Dover, Rochester, Middletown, Ossipee, Moultonboro', Centre Harbor, Plymouth and Haverhill, to Newbury; and from Plymouth, by New Hampton, Meredith, Gilmanton, Nottingham and Durham, to Portsmouth. From Friburg, Me. by Conway, Barletts, Rosebrooks and Jefferson, to Lancaster. From Winchendon, Ms. by Fitzwilliam and Keene, to Brattleboro', Vt. From Warwick, Ms. by Winchester and Hinsdale, to Brattleboro', Vt. From Ashby, Ms. by New Ipswich and Jaffray, to Marlboro'.

In Vermont.—From Lansingburg, N. Y. by Bennington, Shaftsbury, Arlington, Manchester, Rutland, Pittsford, Branden, Leicester, Salis-

STATUTE II.
April 28, 1810.

[Repealed.]

Post roads.

1814, ch. 75,
sec. 2.
1815, ch. 69.

1812, ch. 80.
1815, ch. 69.

Post roads.

1812, ch. 80,
sec. 2.
1815, ch. 69,
sec. 2.

bury, Middlebury, New Haven, Vergennes, Ferrisburg, Charlotte, Shelburn, Burlington, Colchester, Milton, Georgia and St. Alban's, to Highgate. From Williamston, Ms. by Pownall, to Bennington. From Brattleboro', by Marlboro', Wilmington and Woodford, to Bennington. From Rutland, by Clarendon, Shrewsbury, Plymouth, Reading and Windsor, to Cavendish. From Rutland, by Castletown, Fairhaven, Benson, Orwell, Shoreham and Addison, to Vergennes. From Middlebury, by New Haven, Monkton, Hynesburg, Williston, Jericho, Essex, Westford, Fairfax, Fairfield and Sheldon, to Huntsburg; thence by Berkshire, Enosburg, Bakersfield, Cambridge, Underhill, Richmond, Huntington, Starksboro' and Bristol, to Middlebury, and from thence to Poultney, and also from Middlebury, by Royalton, to Hanover, N. H. From Barnardstown, Ms. by Hinsdale, Brattleboro', Putney, Westminster, Walpole, Charleston, Wethersfield, Windsor, Hartford, Norwich, Thetford, Fairlee, Bradford, Newbury, Ryegate, Barnet, Littleton, Concord and Lunenburg, to Guildhall. From Walpole, N. H. by Bellowsfalls, Rockingham, Chester, Cavendish, Ludlow and Shrewsbury, to Rutland. From Windsor, by Woodstock, Barnard, Royalton, Randolph, Williamston, Berlin, Montpelier, Middlesex, Waterbury, Bolton, Jericho and Williston, to Burlington, and from thence to Grand Isle. From Royalton, by Tunbridge, Vershire and Corinth, to Newbury. From Newbury, by Corinth, Washington and Barre, to Berlin. From Ryegate, by Peacham, Danville, Wheelock, Sheffield, Glover, Barton, Brownington and Salem, to Derby. From Lancaster, N. H. by Lunenburg, St. Johnsbury, Danville, Walden, Harwich, Woolcott, Hydespark, Johnston and Fletcher, to St. Albans.

In Massachusetts.—From Suffield, Ct. by Springfield, Wilbraham, Palmer, Western, Brookfield, Spencer, Leicester, Worcester, Shrewsbury, Northboro', Marlboro', Sudbury, Watertown, Cambridge, Boston, Charlestown, Malden, Lynn, Salem, Beverly, Wenham, Hamilton, Ipswich, Rowley and Newburyport, to Salisbury. From Suffield, Ct. by Westfield, Southampton, Northampton, Hatfield, Whately, Deerfield and Greenfield, to Bernardstown. From Salisbury, Ct. by Sheffield, Great Barrington, Stockbridge, Lenox, Pittsfield, Lanesboro' and Williamston, to Greenfield. From Canaan, Ct. by Sheffield, to Egremont. From Colebrook, Ct. by Southfield, Sandisfield, Lee, Lenox and Hancock, to New Lebanon, N. Y. From Springfield, by Stockbridge and West Stockbridge, to Albany, N. Y. From Granby, by Granville, Blandford and Chester, to Middlefield. From Brookfield, by Ware, Belchertown, Hadley, Northampton, Chesterfield, Worthington, Partridgefield, Dalton, Pittsfield and Hancock, to New Lebanon. From Stafford, Ct. to Brookfield or Worcester, and thence by Framingham, to Boston. From Worcester, by Holden, Rutland, Barre and Petersham, to Athol. From Rutland, by Hubbardstown and Templeton, to Winchenden. From Rutland, by Greenwich, Hardwich, Pelham, Amherst and Hadley, to Northampton, and thence by South Hadley, to Springfield. From Boston, by Dedham, Walpole, Foxborough and Attleborough, to Providence, R. I. From Boston, by the Newburyport turnpike, to Newburyport. From Dedham, by Medfield, Medway, Bellingham, Milford, Mendon, Uxbridge and Douglass, to Thompson, Ct. From Boston, by Milton, Canton, Easton, Taunton, Berkley and Freetown, to New Bedford. From Boston, by Dorchester, Quincy, Braintree, Weymouth, Hanover, Pembroke, Kingston, Plymouth, Sandwich, Barnstable, Yarmouth, Dennis, Brewster, Harwich, Chatham, Orleans, Eastham, Wellfleet and Truro, to Provincetown. From Sandwich, by Falmouth, to Nantucket. From Falmouth to Edgarton. From Sandwich, by Wareham, Rochester, New Bedford and Dartmouth, to Westport. From Weymouth, by Hingham, Cohasset, Scituate, Marshfield and Duxbury, to Kingston. From Weymouth, by Abington, Bridgewater, Raynham,

Taunton, Dighton, Somerset and Swanzev, to Warren, R. I. From Boston, by Concord, Stow, Bolton, Lancaster, Leominster, Westminster, Templeton, Gerry, Athol and Orange, to Warwick. From Concord, by Littleton, Groton and Townsend, to Ashby. From Concord, by Fitzwilliam, N. H. to Brattleborough, Vt. From Boston, by Medford, Wobourn, Billerica and Chelmsford, to Tyngsboro'. From Woburn, by Andover, to Haverhill. From Billerica, by Patucket bridge, Dracut, Pelham, N. H. and Windham, to Londonderry. From Salem to Marblehead. From Salem, by Manchester, to Gloucester. From Salem, by Danvers, Topsfield, Boxford and Bradford, to Haverhill. From Newburyport to Haverhill. From Troy, by Freetown, Berkley, to Taunton. From Plymouth, by Taunton, to Providence, R. I. From Framington, by Southborough, Westborough, Grafton, Sutton, Oxford, Dudley and Woodstock, to Ashford in Connecticut.

Post roads.

In Rhode Island.—From Plainfield, Ct. by Scituate and Providence, to Smithfield. From Providence, by Barrington, Warren and Bristol, to Newport. From Providence, by Patucket, East Greenwich, Wickford and Little Rest, to Towerhill or South Kingston. From Newport, by Tiverton, to Westport, Ms. From Newport, by Towerhill and by the Courthouse in South Kingston, Charleston and Westerly, to Stonington, Ct. From Newport, by Tiverton, to Troy, Ms. From South Kingston, by Richmond, Hopkinton, North Stonington and Preston, to Norwich, Ct.

1812, ch. 80.

In Connecticut.—From Rye, N. Y. by Greenwich, Stamford, Norwalk, Fairfield, Bridgeport, Stratford, Milford, New Haven, North-haven, Wallingford, Berlin, Wethersfield, Hartford and Windsor, to Suffield. From Norwalk, by Reading, Danbury, Brookfield, New Milford, Washington, Litchfield, Harwinton, Burlington, Farmington, Hartford, East Hartford, Ashford and Pomfret, to Thompson. From New Milford, by Kent and Sharon, to Salisbury. From Bridgeport, by Trumbull, Rip-ton, Huntington and Newton, to Brookfield. From New Haven, by Derby, Southbury, Woodbury, Bethlehem, Litchfield and Goshen, to Canaan. From New Haven, by Woodbridge, Waterbury, Watertown, Litchfield, Cornwall and Sharon, to Poughkeepsie, N. Y. From New Haven, by Cheshire and Southington, to Farmington. From New Haven, by Dufham and Middletown, to Wethersfield. From New Haven, by Branford, Guilford, Killingworth, Saybrook, Lyme, New London, Chelsea and Jewitt's city, to Plainfield. From Saybrook, by Petty Paug, Haddam, East Haddam and Middle Haddam, to Middletown. From Stonington, by New London, Montville, Colchester, Glastenbury, Hartford, Wintonbury, Canton, New Hartford, Winchester and Norfolk, to Canaan. From Norwich, by Canterbury and Brooklyn, to Pomfret. From Hartford, by Simsbury, to Granby. From New Hartford, by Hartland, to Colebrook. From Hartford, by East Hartford, Oxford, Hebron, Lebanon and Norwich, to Chelsea. From Hartford, by Coventry, Windham and Canterbury, to Plainfield. From Hartford, by Tolland, to Stafford. From East Hartford, by East Windsor, to Springfield, Ms. From Danbury to Ridgefield.

1812, ch. 80.

1814, ch. 75.

1815, ch. 69.

In New York.—From Jersey city, by New York, Harlaem and New Rochelle, to Rye. From New York city, by Brooklyn, Jamaica, Hempstead, Merrick, South Oyster Bay, South Huntington, Islip, Patchogue, Fireplace, Morriches, Westhampton, Southampton and Bridgehampton, to Sag Harbor. From Jamaica, by Queen's c. h. Oyster Bay, Huntington, Dixhills, Smithtown, Setauket, Brookhaven and Riverhead, to Southhold. From New York, by Kingsbridge, Yonkers, Greensburg, Mount Pleasant, Peekskill, Fishkill, Poughkeepsie, Staatsburg, Rhinebeck, Redhook, Clermont, Hudson, Kinderhook, Albany, Schenectady, Amsterdam, Tripshill, Palatine, Little Falls, Herkimer, Utica, New Hartford, Westmoreland, Oneida, Sullivan, Caneseraga, Manlius, Onon-

1812, ch. 80.

1814, ch. 75.

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Post roads.

daga, Marcellus, Skeneatales, Aurelius, Cayuga, Geneva, Canandaigua, Bloomfield, Avon, Southampton, Batavia, New Amsterdam and Lewistown, to Youngstown or Niagara. From New Rochelle, by Whiteplains, Salem, Ridgefield, Ct. South East, Patterson and Pauling, to Dover. From Ramapo-works to Newburg. From New Antrim, by Monroe, Chester, Goshen, Wallkill, Montgomery, Shawangunk, New Paltz, Kingston, Songaerties, Catskill, Lunenburg, Cocsacksie, Coeymans, Bethlehem, Albany, Troy, Lansinburg, Waterford, Stillwater, Saratoga, Northumberland, Fort Miller, Sandy Hill, Queensbury, Fort George, Thurman, Chester, Scaroon lake, Elizabeth, Willsboro', Peru and Plattsburg, to Champlain town. From Hamburg, N. J. by Warwick, Florida, Goshen, Little Britain, New Windsor, Newburg and Fishkill landing to Fishkill. From Danbury, Ct. by Fishkill landing and Newburg to Chenango Point. From Rhinebeck, by Kingston, Shandecan, Middletown, Delhi, Walton, Sidney, Jericho bridge, Onoquago, Binghamton, Union, Owego, Athens, Pa. Chemung, Elmira, Great-flat, Painted Post, Bath, Canestco, Ark Port, Danville, Williamsburg and Geneseo to Avon. From Delhi to Meredith. From Wellsboro', Pa. by Lindsleystown, to Painted Post. From Hudson, by Lunenburg, Catskill, Cairo, Durham, Broome, Blenheim, Stamford, Harpersfield, Kortwright, Meredith, Franklin, Unadilla and Clinton, to Jericho bridge. From Erie, Pa. by Casada, Cataraugus and Fish creek, to New Amsterdam. From Bath, by Roscommon and Jerusalem, to Geneva. From Elmira, by Catherinestown, Hector, Ovid, Lancaster and Romulus, to Geneva. From Owego, by Cantines, Ithica, Salmon creek, Milton, Aurora, Cayuga and Galen, to Great Sodus. From Ithica, by Ulysses, to Ovid. From Binghamton, by Green or Lisle, Oxford, Norwich, Hamilton, Paris and New Hartford, to Utica. From Oxford, by Unadilla, Otogo, Milford, Hartwick, Otsego village and Bridewater, to Utica. From Albany, by Duaneburg, Dwllock, Cherry valley, Otsego village, Burlington, Columbus, Sherburne, Deruyter, Truxton and Homer, to Aurora. From Burlington, by New Berlin, Plymouth, Cincinnatus and Homer, to Ithica. From Otsego village, by New Lisbon, Pittsfield and Butternuts, to Oxford. From Cherry valley, by Springfield, Richfield, Plainfield and Bridgewater, to Sangerfield. From Onondaga, by Selina, Liverpool, Three Rivers Point and Oswego Falls, to Oswego. From Vernon, by Smithfield and Cazenovia, to Pompey. From Utica, by Whitestown, Rome, Camden, Adams and Sackett's Harbor, to Brownsville. From Utica, by Trenton, Steuben, Leyden, Turin, Lowville, Harrisburg, Oxbow, Dekalb, Canton, Ogdensburg, Lisbon, Hamilton, Madrid, Pottsdam, Chesterfield, Malone and Chetaugo, to Plattsburg. From Starrisburg, by Champion, Watertown and Brownsville, to Port Putnam. From Little Falls, by Fairfield, Newport and Russia, to Remsen. From Perramus, by Tappan, Clarkstown and Kakiat, to Havrestraw. From Schenectady, by Ballstown, Ballstown Springs, Saratoga Springs, Greenfield and Hadley, to Broadalbin. From Caughnawago, by Johnson and Mayfield, to Northampton. From Lansinburg, by Shaghticoke, Easton, Greenwich, Argyle, Hartford and Whitehall, to Fairhaven, Vt. From Sandy Hill, by Fort Ann, to Whitehall. From Lansinburg, by Cambridge, Salem, Hebron, Granville and Hampton, to Poultney, Vt. From Willsboro' to Charlotte, Vt. From Albany to New Lebanon. From Hudson, by Claverac, to Egremont, Ms.

In New Jersey.—From Morrisville, Pa. by Trenton, Princeton, New Brunswick, Rahway, Elizabethtown and Newark, to Jersey city. From Philadelphia, Pa. by Cooperstown, Gloucester, Woodbury, Swedesboro' and Woodstown, to Salem. From Cooperstown, by Long Coming, Blue Anchor, Riverbridge and Somer's Point, to Absecome. From Coopers-town, by Haddonfield, Taunton and Atsion, to Tuckertown. From Trenton, by Bordentown, Mount Holly, Black Horse, New Egypt, New

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Mills, Mount Holly, Morestown, Haddonfield, Cooperstown, Gloucester, Woodbury, Mullicohill, Poletavern, Deerfield, Bridgetown, Millville, Port Elizabeth, Dennis and Cape May c. h. to Cape Island. From Trenton, by Pennington, Flemington, Alexandria, Belvidere, Hope, Johnsonburg and Newtown, to Hamburg. From Trenton, by Allentown, Cranberry, Monmouth, Shrewsbury, Middletown Point, Spotswood, New Brunswick, Somerville, Pluckemin, New Germanton, New Hampton, Asbury and Pittston, to Alexandria. From New Hope, Pa. by Somerville, Boundbrook, Newmarket, Plainfield, Scotch Plains and Springfield, to Newark. From Easton, Pa. by Belvidere and Knowlton Mills, to Detotsburg, Pa. From Scotch Plains to New Providence. From Rahway, by Woodbridge, to Amboy. From Newark, by Chatham, Morristown, Rockaway and Sparta, to Newtown, thence by Hacketstown, Washington Valley, Chester and Menham, to Morristown. From Morristown, by Baskenridge, to Somerville. From Jersey City, by Bergen, Hackensack and Paramus, to New Antrim. From Bristol, Pa. to Burlington. From Bridgetown to Cedarville.

In Pennsylvania.—From Wilmington, D. by Chester, Darby, Philadelphia, Frankfort and Bristol, to Morrisville. From Philadelphia, by Downingtown, Lancaster, Elizabethtown, Middletown, Harrisburg, Carlisle, Shippensburg, Chambersburg, McConnelstown, Bedford, Somerset, Greensburg, Pittsburg, Cannonsburg and Washington, to West Middletown. From Taneytown, Md. by Petersburg, Hanover, York and Columbia, to Lancaster. From Brick Meeting-house, Md. by the Rising Sun, Unicorn, Black Horse, Sorrel Horse, Lancaster, Leditz, Ephrata, Reemstown, Adamstown, Reading, Cootstown, Allentown, Bethlehem, Easton, Stroudsburg and Middletown, to Milford, and thence to Pittston. From Brick Meeting-house, Md. by New London, Chatham, Kennett's square, Marshalltown and West Chester, to Downingtown. From Wilmington, D. by New Garden, Chatham, Gap and Strasburg, to Lancaster. From Lancaster, by New Holland, Churchtown, Morgantown, Pughtown, Pawlingsford, Norristown, Montgomery, Doylestown, New Hope, Newtown and Attleborough, to Bristol. From Philadelphia, by Jenkintown, Doylestown, Plumstead, Bursontown, Easton, Hellers, Woods, Wilkesbarre, Pittston, Putnam, Braintrem, Wyalusing, Standing Stone, Wysox and Sheshequin, to Athens. From Pittston, by Providence and Willingboro', to Binghamton, New York. From Plumstead, by Eerwinna, to Alexandria, N. J. From Jenkintown to New Hope. From Philadelphia, by Germantown, Chesnut-hill, Whitmarsh, Montgomery Square, Quakertown, Bethlehem, Kreidersville, Lausanne and Nescopeck, to Berwick. From Bethlehem to Nazareth. From Philadelphia, by Germantown, Springtown, Norristown, Trap, Reading, Hamburg, Sunbury, Northumberland, Milton, Muncey and Williamsport, to Wellsborough. From Milton, by Washington and Jerseytown, to Froetston. From Harrisburg, by Halifax, Sunbury, Northumberland, Lewisburg, Mifflinburg and Aaronsburg, to Bellefont, Milesburg, Clearfield and Venango, to Mercer. From Harrisburg, by Palmyra, Lebanon and Womelsdorf, to Reading. From Lebanon to Jonestown. From Harrisburg, by Clarks-ferry, Millerstown, Thompsonston, Mifflintown, Lewistown, McVaytown, Huntingdon, Alexandria, Hollidaysburg, Beaula, Armagh, Indiana, through Alexandria, to Greensburg. From Mifflintown, by Waterford, Concord, to Fannetsburg. From Manchester, Md. by Hanover, Abbotstown, Berlin and Sulphur Springs, to Carlisle. From Union, Md. by Petersburg and Gettitsburg, to Chambersburg. From Emmitsburg, Md. by Gettitsburg, Carlisle, Gap, Millerstown, Selin's Grove, Northumberland, Danville, Bloomsburg, Berwick, Salem and Hanover, to Wilkesbarre. From Carlisle, by Waggoners' Gap, Landisburg, Hacketts, Shower's Mill and Zimmermans, to Douglass' Mill. From Hagerstown, Md. by Greencastle, Chambersburg, Strasburg, Fan-

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netsburg, Bedford furnace, Shirleys, Huntingdon, Centre furnace, Belfont, Jersey shore, to Williamsport. From Belfont to Lewistown. From Gettisbury, by Fairfield and Greencastle, to Messersburg. From Cumberland, Md. by Salisbury and Berlin, to Somerset. From Somerset, by Connellsville, Union and New Geneva, to Morgantown, Va. From Somerset, by Staystown, to Ebensburg. From Greensburg, by New Alexandria, to Kittanning. From Greensburg, by Mount Pleasant, Robbstown, Parkinson's ferry and Washington, to Burgettstown. From Union, by Brownsville, Washington, Waynesborough and Jeffersonville, to Union. From Pittsburg, by Butler, Mercer, Franklin, Meadsville, Crawford and Le Beuf, to Erie. From Erie to Litchfield, O. From Pittsburg, by Beavertown, to Greensburg. From Beavertown to Georgetown. From Baltimore, Md. to York.

In Michigan.—From Fort Miami, by Frenchtown, to Detroit.

In Ohio.—From Point Pleasant, Va. by Gallipolis, Sciota Salt Works, Chilicotha, Franklinton, Worthington, Delaware, Mount Vernon, Mansfield, Ripley and Bronson, to Huron. From Marietta, by Belpre, to Wood c. h. From Marietta, by Athens, Chilicotha, New Market, Williamsburg, Milford, Columbia, Cincinnati, to Northbend. From Wheeling, Va. by St. Clairsville, Morristown, Frankford, Cambridge, Zanesville, Springfield, New Lancaster, Chilicotha and Browns' Cross-roads, to Maysville, K. From Cincinnati, by Crossby, Hamilton, Franklin, Dayton, Staunton, Troy, Pique Town, Springfield, Ludlow, Xenia, Waynesville, Lebanon and Montgomery, to Cincinnati. From Chilicotha, by Peepee, to Alexandria. From Zanesville, by Gnadenhutten and New Philadelphia, to Canton. From Marietta, by Waterford, Zanesville, Newark, Greenville, Worthington, to Urbana. From Troy to Greenville. From Brook c. h. Va. to Steubenville and Faucettstown, to New Lisbon. From Greensburg or Beavertown, Pa. by New Lisbon, Deerfield, Ravenna, Hudson, Cleveland, Huron, Perkins, Patterson and Sandusky, to Fort Miami. From Greensburg, Pa. by Poland, Youngstown and Warren, to Jefferson, and return by Williamsfield, Smithfield and Brookfield, to Warren. From Litchfield, by Ralphville, Jefferson and Austinville, to Cleveland. From Youngstown to Canfield.

In Indiana.—From Louisville, K. by Jeffersonville, Clarksville, Corydon and Vincennes, to the United States' Saline. From Northbend, O. by Laurenceburg, to Port William, K.

In Illinois.—From Vincennes, In. T. by Kaskaskia, Prairies du Rochers and Cohokia, to St. Louis. From Smithland, K. by Fort Massack and Tywappety, to Cape Girardeau, L. T.

In Louisiana.—From St. Genevieve, by Mine au Burton and St. Louis, to St. Charles. From Kaskaskia, I. T. by Genevieve and Cape Girardeau, to New Madrid.

In Delaware.—From Elkton, Md. by Christiana and Newport, to Wilmington. From Wilmington, by New Castle, St. Georges, Cantwell's Bridge, Smyrna, Dover, Camden, Frederica, Milford, Georgetown and Dagsborough, to Poplartown, Md. From Cantwell's bridge, by Middletown, to Warwick, Md. From Frederica to Whiteleysburg. From Salisbury, Md. by Laurel, Concord and Georgetown, to Lewistown. From New Market, Md. by North West Fork Bridge and Bridge Branch, to Georgetown.

In Maryland.—From Washington City, by Bladensburg, Baltimore, Harford, Havre de Grace and North East, to Elkton. From Washington City, by Upper Marlboro', Queen Ann, Annapolis, Haddaways, St. Michaels, Easton, Cambridge, Vienna, Salisbury, Snowhill, Princess Ann, White Haven and Quantico, to Vienna. From Poplartown, by Snowhill, to Horntown. From Salisbury to Quantico. From Cambridge to New Market. From Easton, by Centerville, Churchhill, Chestertown, Georgetown Cross-roads and Sassafra, to Warwick. From Georgetown

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Cross-roads, by the head of Chester, Sudler's Cross-roads, Beaver dam and Nine Bridges, to Greensborough. From Easton, by Hillsborough, Denton and Greensborough, to Whiteleysburg, D. From Elkton to Brick Meeting-house. From Harford to Belle Air. From Baltimore to Annapolis. From Baltimore, by Rockall, to Chestertown. From Baltimore, by Reisterstown, to Manchester. From Reisterstown, by Westminster, to Union Mills. From Baltimore, by Ellicott's Lower Mills, Poplartown, New Market, Fredericktown and Newtown, to Harper's Ferry. From Baltimore, by Queenstown, to Centreville. From Washington City, by Georgetown, Montgomery c. h. Clarksburg, Fredericktown, Middletown, Hagerstown, Hancock, Berkeley Springs, Oldtown, to Cumberland, and thence by the national road, to Union, Pa. From Washington City, by Brookville and Triadelphia, to Ellicott's Mills. From Fredericktown to Liberty. From Fredericktown, by Woodsborough, to Taneytown. From Fredericktown, by Creagerstown, to Emmetsburg. From Shepherdstown, Va. by Sharpsburg and Williamsport, to Hagerstown. From Upper Marlborough, by Nottingham, Aquasco, Benedict and Charlotte Hall, to Chaptico. From Queen Ann, by Pig Point, Tracey's landing, Lower Marlborough, Huntington and Calvert c. h. to St. Leonards. From Washington City, by Piscataway, Port Tobacco, Allenfresh, Newport, Chaptico, Leonardtown, Great Mill and St. Inigoes, to Ridge. From Port Tobacco, by Tophill, to Nanjemoy. From Leesburg, Va. by Charlesburg, to Montgomery c. h. From Fredericktown to Leesburg. From Newtown Trap, by Berlin, Thrasher's store and Hamilton's mill, to Waterford in Va.

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In Virginia.—From Washington City, by Alexandria, Dumfries, Stafford c. h. Falmouth, Fredericksburg, Bowling Green, White Chimnies, Hanover c. h. Richmond, Petersburg, Harris's and Brunswick, to Warrenton, N. C. From Washington City, by Prospect, Lanesville, Leesburg, Waterford, Hillsborough, Charlestown, Shepherdstown and Martinsburg, to Berkeley Springs. From Waterford, by Braden's Store, Janneys and Snicker's Gap, to Upperville. From Washington City, by Fairfax c. h. Goshen, Middleburg, Paris, Winchester, Romney, Westernport, Md. Gandysville, Clarksburg and Marshes, to Marietta, O. From Gandysville to Morgantown. From Clarksburg to Beverly. From Pendleton c. h. by Moorfields, Romney, Springfield and Frankfort, to Cresapsburg, Md. From Williamsport, Md. by Martinsburg, Winchester, Stevensburg, Newtown, Strasburg, Woodstock, New Market and Harrisonburg, to Staunton. From Harper's Ferry, by Charlestown and Battletown, to Winchester. From Fairfax c. h. by Centreville, Haymarket, Warrenton, Madison c. h. Stanardsville, Staunton, Middlebrook, Brownsburg, Lexington, Natural Bridge, Pattonsburg, Fincastle, Amsterdam, Salem, Airmont, Christiansburg and Evansham, to Abingdon. From Alexandria to Fairfax c. h. From New York to Lovingston in Nelson county. From Colchester to Occoquan. From Fredericksburg, by Elk Run Church and Warrenton, to Gibsons and Oak Hill. From Fredericksburg, by Germana, Stevensburg, Culpepper c. h. Jeffersonston, Washington and Front Royal, to Winchester. From Culpepper c. h. by Woodville, F. T. Village, Pass Mills, Thornton's Gap, Mundell's Store and Hawksbill Mills, to New Market. From Fredericksburg, by Orange c. h. Gordons, Milton, Charlottsville, New Glasgow, to Lynchburg. From Lovingston, by Warren, to Warminster. From Fredericksburg, by Thornsburg, Chilesburg, Oxford, Crewsville and Price's Mills, to Goochland c. h. From Fredericksburg, by Spottsylvania c. h. Lewis's, Potties, Bibb's Store, Louisa c. h. Yanceyville and Mitchell's Store, to Goochland c. h. From Fredericksburg, by King George c. h. Broadfield, Mattoxbridge, Leeds-town, Templeman's Cross Roads, Richmond c. h. Mount Airy, Farnham, Kinsale, Northumberland c. h. and Lancaster c. h. to Kilmarnock. From Fredericksburg, by Port Royal, Laytons, Tappahannock, Urbanna and

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Gloucester c. h. to Yorktown. From Bowling Green, by Broadus's Mills, Dunkirk, Walkerton, King and Queen c. h. and Gloucester c. h. to Matthews c. h. From Dunkirk, by Aylett's Warehouse, King William c. h. to Lilly Point. From Richmond, by Goochland c. h. Columbia, Milton, Charlottsville, New York, Waynesburg, Staunton, Warm Springs, Callaghans or Browns, Sulphur Springs, Lewisburg, Kenhawa c. h. and Hudsons, to Point Pleasant. From Hudsons, by Wards and Jourdans, to Catlettsburg, at the mouth of Big Sandy. From Callaghans, by Sweet Springs and Union, to Giles' c. h. From Evansham, by Jeffersonville and Franklin, to Jonesville. From Evansham, by Austinville, to Greenville. From Richmond, by Powhatan c. h. Cumberland c. h. Floods, Lynchburg, Beufords, Hourytown and Fincastle, to Sweet Springs. From Liberty, by Brown's Store, Rockymount, Henry c. h. to Patrick c. h. From Powhatan c. h. by Cartersville, New Canton, Buckingham c. h. and Bent Creek, to Lynchburg. From Powhatan c. h. by Farmville, Prince Edward c. h. Charlotte c. h. Marysville, Halifax c. h. Paytonsburg and Pittsylvania c. h. to Henry c. h. and from Peytonsburg, to Danville. From Prince Edward c. h. by Kelso's Store, to Hunters. From Pittsylvania c. h. by Danville, to Caswell c. h. in N. C. From Lynchburg, by Bethel, Pedlar Mills and Wincanton, to Lexington. From Lynchburg, by Campbell c. h. Ward's Ferry on Staunton river and Stone's Store, to Pittsylvania c. h. From Richmond, by Chesterfield c. h. Spring Hill, Colesville, Jenitoe Bridge, Cassel's Store, Amelia c. h. Painesville and Jamestown, to Farmville. From Charlotte c. h. by Rough Creek Church and Reeds Store on Falling river, to Campbell c. h. From Richmond, by Hanover town, Dunkirk and Tappahannock, to Richmond c. h. From Richmond, by Frazers, New Kent c. h. Williamsburg, Yorktown, Hampton, Norfolk and Great Bridge, to Northwest River Bridge. From Richmond, by Granville, to Charles City c. h. From Petersburg, by Dinwiddie c. h. Nottaway c. h. Hendersonville, Hungrytown, Double Bridge, Haleys, Willies, Bibb's Ferry and Scottsburg, to Halifax c. h. From Petersburg, by Prince George, Cabbin Point, Surry c. h. Smithfield, Everitt's Bridge, Suffolk and Portsmouth, to Norfolk. The mail may be sent from Smithfield, by Sleepy Hole Ferry, and thence to Suffolk, when the road and ferry are in convenient repair. From Petersburg to City Point. From Petersburg, by Sussex c. h. Jerusalem and South Quay, to Murfreesboro', N. C. From Hicks's Ford, by Smith's Store, to Murfreesboro'. From Harrisville, by Fields Mill, Quarlesville, M'Farlands, Lunenburg c. h. Christiansville, Marshallsville, Mecklenburg c. h. St. Tammany's and Geese Bridge, to Harrisville. From Percivalls, by Westward Mill, Mason's, Belfield and Hicks's Ford, to Halifax, N. C. From Hicks's Ford, by Cross Keys, Bethlehem and Jerusalem, to Suffolk. From Billips's to Hicks's Ford. From West Middletown, Pa. by Brook c. h. and Short Creek, to Wheeling. From Horntown, by Accomac c. h. and Northampton c. h. to Norfolk. From West Liberty, by Short Creek, to Warrenton, O.

In Kentucky.—From Maysville, by Washington, Millersburg, Paris, Lexington, Frankfort, Springfield, Greensburg, Glasgow and Bowling Green, to Russelsville. From Catlettsburg, by Greenup c. h. Johnson's Mills, Vanceburg, Salt Works, Lewis c. h. and Flemmingsburg, to Millersburg, thence by Mount Sterling and the Olympian Springs, to Catlettsburg. From Cumberland Gap, by Barboursville, Road Forks, Crab Orchard, Stanford, Danville, Harrodsburg, Frankfort and New Castle, to Port William. From Road Forks to Clay c. h. From Washington, by Augusta and Newport, to Boon c. h. From Lexington, by Nicholasville, Richmond and Lancaster, to Danville. From Frankfort, by Georgetown, Cynthiana, Falmouth and Newport, to Cincinnati, O. From Frankfort, by Shelbyville, Louisville, Sheppardsville, Bairdstown, Springfield and Danville, to Casey c. h. From Frankfort, by Middle-

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town, Bairdstown, Bealsburg, Elizabethtown, Grangerville, Hardenburg, Hartford and Muhlenburg c. h. to Russelsville. From Hardenburg, by Yellow Banks, Hendersonton, U. S. Saline, In. T. to Shawnee Town, Il. T. and to Livingston c. h. From Russelsville, by Christian c. h. Eddyville and Livingston c. h. to Smithland. From Stanford, by Pulaski c. h. Wayne c. h. Cumberland and Adair, to Greensburg. From Lexington, by Winchester and Mount Sterling, to Estill c. h. From Muhlenburg c. h. Hopkins c. h. by Harpsburg, to Henderson.

Post roads.

In North Carolina.—From Warrenton, by Louisburg, Raleigh, Aversboro', Fayetteville, Lumberton and Nolands, to Barefields, S. C. From Suffolk, Va. by Gates c. h. Edenton, Lees Mills, Plymouth, Washington, Newbern, Swansboro' and Wilmington, to Smithville. From Henry c. h. Va. to Germanton. From Greensville, Va. by Scull Camp, Mount Airy and Bethania, to Salem. From Warrenton, by Williamsboro', Oxford, Person c. h. Leesburg, Caswell c. h. Lenox Castle, Rockingham c. h. and Germanton, to Salem. From Oxford to Hillsboro'. From Raleigh, by Nutthall's Store, to Oxford. From Raleigh, by Chapel Hill, Hillsboro', Allemance, Greensboro', Salem, Huntsville, Houstonville, Statesville, Island Ford, Morgantown and Ashville, to the Warm Springs, and from Ashville to Haywood c. h. From Hillsboro', by Mount Tirzah, Person c. h. Williamsville and the Red House, to Halifax c. h. Va. From Huntsville, by Rockford, Hamptonville and Wilkesboro', to Ash c. h. From Salem, by Lexington, Salisbury and Concord, to Charlotte. From Charlotte to Statesville. From Raleigh, by Pittsboro', Randolph c. h. Salisbury, Beattysford, Grahams, Lincolnton and Rutherfordton, to Spartansburg, S. C. From Fayetteville, by Moor c. h. Waddels Ferry, Tyson's Store, Linly's Store and Hillsboro', by Jones' Ferry, to Pittsboro', and thence by Haywood, to Fayetteville. From Fayetteville, by Rockingham, Wadesboro', Springville and Tindallsville, to Salisbury. From Fayetteville, by Laurel Hill, to Winfieldsville, S. C. From Warrenton, by Jones' Store, Halifax, Northampton c. h. Murfreesborough, Winton, Coleraine, Windsor, Edenton, Hartford, Nixonton, Elizabeth, Camden c. h. Indiantown, Currituck c. h. and Tulls Creek, to North-west Bridge, Va. From Elizabeth to New Lebanon. From Warrenton, by Ransom's Bridge, Sill's Store, Nash c. h. Tarborough, Greenville, Washington, Bath, Woodstock and Germanton, to Lake Landing, on Mattamuskeet. From Halifax, by Enfield, Mount Prospect, to Tarborough. From Raleigh to Nash c. h. From Halifax, by Scotland Neck, Hamilton, Williamston, Jamestown, Plymouth and Washington c. h. to Scuppernong. From Raleigh, by Smithfield, Waynesboro', Kingston and Newbern, to Beaufort. From Kingston to Snowhill. From Fayetteville, by Sampson c. h. Duplin c. h. and South Washington, to Wilmington. From Fayetteville, by Elizabethtown, to Wilmington. From Elizabethtown to Marsh Castle.

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In Tennessee.—From Abingdon, Va. by Blountsville, Rossville, Rogersville, Whitesides, Been's Station, Rutledge, Knoxville, Campbell, Meredith, Kingston, Hartleys, Alexanders, White Plains, Carthage, Dixons Springs, Cairo, Gallatin, Hendersonville, Nashville, Franklin and Columbia, to the Big Spring. From Blountsville, by Jonesborough, Greenville, Cheek's Cross Roads and Dandridge, to Knoxville. From Jonesborough, by Elizabethtown, to Ash c. h. N. C. From the Warm Springs, N. C. by Newport, Sevierville, Knoxville, Clinton and Chitwood, to Pulaski, K. From Newport, by Cheek's Cross Roads, Been's Station, Tazewell and Powell's Valley, to Cumberland Gap. From Knoxville, by Marysville, Tellico, Amoy river, Vanstown, Turkeytown, near the junction of Koose and Talipoose rivers, being the head of Alabama river, to Fort Stoddert on the Mobile river, M. T. From Carthage to Lebanon. From Carthage to Fort Blount. From Nashville, by Charlotte, Hickman c. h. and Humphreys c. h. to Charlotte. From Nashville, by Springfield, to

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Russellville, K. From Springfield, by Port Royal, Clarksville and Palmyra, to Steward c. h. and from thence to Eddyville, in the state of Kentucky. From Kingston, by Rhea c. h. Bledsoe c. h. Warren and Jefferson, to Nashville. From Wayne c. h. Kentucky, by Overton c. h. and White Plains, to White c. h. From Columbia, by Shelbyville, Winchester, Fayetteville, Huntsville, M. T. and Pulaski, to Columbia. From Bledsoe c. h. to Franklin c. h.

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In South Carolina.—From Barefields, by Port's ferry, China Grove, Georgetown, Charleston, Jacksenboro', Pocotaligo and Coosawhatcha, to Savannah, Ga. From Greenville, by Pickensville, Pendleton c. h. and Hattensford, to Carnesville, Ga. From Winfieldsville, by Cheraw c. h. Camden, Columbia, Edgefield c. h. and Cambelltown, to Augusta, Ga. From Barefields, by Marion c. h. Ilesboro', Bitheosville and Harleysville, to Barefields. From Port's ferry, to Conwayborough. From Wadesborough, N. C. by Sneedsborough, Chatham, Cheraw c. h. and Darlington c. h. to Port's ferry on Lynch Creek. From Charleston, by Monks Corner, Jamesville, Statesburg, Camden, Chesnut-ferry, Peas' store, Rocky Mount, Lansford, and Alexanders, to Charlotte, to return by Cairo and Lancaster, to Camden. From Columbia, by Miersville, Statesburg, Sumpertville, Salem, Kingstree, Indiantown and Willtown, to China Grove. From Columbia, by Winnsborough, Chester c. h. York c. h. Pinckneyville, Union, Meansville and Spartanburg, to Greenville. From Columbia, by Monticello, Hendersons, O'Neals, the Keys, Cross Anchor and Shackelfords, to Greenville, return by Stonesville, Young's Store, Scuffletown, Huntington, Poplar Grove and Springhill, to Columbia. From Charleston, by Dorchester, St. Georges, Orangeburgh, Columbia, Newbury c. h. Belfast, Laurens c. h. Fork Shoal, Greenville, Reedsville and Claytonville, to Ashville, N. C. to return by Murraysville to Greenville. From Greenville, return by Tumbling Shoal and Laurens c. h. to Columbia. From Edgefield, c. h. by Richardsons, Cambridge, Abbeville and Rocky River, to Pendleton c. h. From Edgefield c. h. by Long Miers, Willington, Vienna and Andersonville, to Pendleton c. h. From Jacksonboro', by Barnwell c. h. and Campbelltown, to Augusta, Ga. From Pocotaligo to Beaufort. From Charlotte, N. C. to York c. h. From Petersburg, Ga. to Vienna.

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In Georgia.—From Savannah, by Bryan c. h. Riceboro', M'Intosh c. h. Darien and Brunswick, to St. Mary's. From Augusta, by Lincolnton, Petersburg and Elberton, to Franklin c. h. From Augusta, by Columbia c. h. Washington, Lexington, Athens, Watkinsville and Clarksboro', to Jefferson. From Augusta, by Columbia c. h. Warrenton, Sparta, Milledgeville, and Jones c. h. to Hawkins, on the Oakmulgee river, and from thence to Coweta. From Milledgeville, by Putnam c. h. Morgan c. h. and Watkinsville, to Athens. From Darien, by Jones' to Milledgeville. From Morgan c. h. to Randolph c. h. From Milledgeville to Saundersville. From Augusta, by Waynesboro', Louisville, Georgetown, Warrenton, Powelton and Greensboro', to Washington. From Augusta, by Jacksonboro', to Savannah. From Riceboro' to Sunbury.

1815, ch. 69.

In Mississippi.—From the Big Spring, by Bear Creek, M'Intoshville, Walnut Hill, St. Albans, Grindstoneford, Port Gibson, Greenville, Washington, Natchez, Ellis' ferry and Loftus Heights, to Pinckneyville. From M'Intoshville, or White Oak Creek, by Fort St. Stephens, to Fort Stoddert. From Coweta, by Tuckabachy, Tensaw and Fort Stoddert, to Pascagoola river.

1814, ch. 75.

In Orleans Territory.—From Pinckneyville, by Baton Rouge, Abbeville, La Fourche or Houmas, St. Charles and New Orleans, to Balize. From La Fouché, by Point Coupee, Opelousa and Rapid, to Natchitoches. From Pascagoola river to New Orleans.

SEC. 2. *And be it further enacted,* That from and after the first day

of June next, all post roads heretofore established by any act of Congress of the United States, shall be and the same are hereby discontinued: *Provided*, that nothing herein contained shall be construed so as to affect any existing contracts.

APPROVED, April 28, 1810.

STATUTE II.

CHAP. XXXI.—*An Act to extend the time for locating Virginia military land warrants, and for returning the surveys thereon to the Secretary of the department of War.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Sciota rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed a further term of five years, from and after the passage of this act, to obtain warrants and complete their locations, and a further term of seven years, from and after the passage of this act as aforesaid, to return their surveys and warrants, or certified copies of warrants to the office of the secretary of the war department, any thing in any former act to the contrary notwithstanding: *Provided*, that no locations as aforesaid, within the above mentioned tract, shall, after the passing of this act, be made on tracts of land for which patents had previously been issued, or which had been previously surveyed; and any patent which may nevertheless be obtained for land located contrary to the provisions of this section, shall be considered as null and void.

APPROVED, March 16, 1810.

March 16, 1810.

Act of June 9, 1794, ch. 62.
Act of May 10, 1800, ch. 55.
Act of March 3, 1803, ch. 30.
Act of March 19, 1804, ch. 33.
Act of 1807.
Act of March 21, 1808, ch. 37.
Act of 1810.
Act of July 5, 1813, ch. 7.
Act of 1814.
Act of 1818.
Act of 1821.
Act of 1823.
Five years allowed to obtain warrants and complete locations, and seven years to return the surveys.

STATUTE II.

CHAP. XXXIII.—*An Act providing for the printing and distributing of such Laws of the United States, as respect the Public Lands.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to cause to be collected into one volume and arranged, the several laws of the United States, resolutions of the Congress under the confederation, treaties and proclamations that have operation and respect to the public lands: and to cause twelve hundred copies to be printed, one of which shall be transmitted to each of the existing land boards of commissioners for settling land claims, and a copy to each of the registers and receivers of public monies of the several land-offices of the United States; and the residue of the said copies shall be preserved for the future disposition of Congress.

APPROVED, April 27, 1810.

April 27, 1810.

[Obsolete.]

Laws, &c. relative to the public lands to be collected and published.

March 3, 1845.

STATUTE II.

CHAP. XXXIV.—*An Act providing for the better accommodation of the General Post-office and Patent Office, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and hereby is authorized to erect, or procure by purchase, a building suitable for the accommodation of the general post-office, and of the office of the keeper of the patents, in such situation, and finished in such manner, as the interest of the United States and the safety and convenience of those offices respectively, and the arrangement of the models in the patent office shall, in his opinion, require.

SEC. 2. *And be it further enacted*, That the President of the United

April 28, 1810.

Act of July 4, 1836, ch. 357, sec. 7.
Act of March 3, 1839.

President authorized to buy or to cause to be built a house for the accommodation of the general post-office, &c

City post-office, and those of superintendent and surveyor of the city to be removed.

Fire-proof rooms to be erected in the public offices west of the President's house.

Appropriation.

States be, and hereby is authorized to cause the city post-office, and the offices of the superintendent and surveyor of the city of Washington, to be immediately removed from the public building west of the President's house; and that he cause to be built within the said public building, as many fire-proof rooms as shall be sufficient for the convenient deposit of all the public papers and records of the United States, belonging to, or in the custody of the state, war or navy departments.

SEC. 3. *And be it further enacted*, That the sum of twenty thousand dollars be appropriated for the purposes expressed in this act, out of any monies in the treasury, not otherwise appropriated.

APPROVED, April 28, 1810.

STATUTE II.

April 30, 1810.

CHAP. XXXV.—*An Act providing for the sale of certain lands in the Indiana territory, and for other purposes.*(a)

Act of March 26, 1804, ch. 35. Certain lands to which Indian title has been extinguished to be added to the districts of Cincinnati and Vincennes.

These lands to be offered for sale to the highest bidder.

Conditions, places, &c. &c.

Lands unsold may be sold at private sale.

Compensation of the superintendents of the public sales.

Boundary between districts of Vincennes and Jeffersonville.

Sales to be regulated accordingly.

Certain claims to land in the district of Vincennes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that tract of land, to which the Indian title was extinguished by the treaty made at Fort Wayne, on the thirtieth day of September, in the year one thousand eight hundred and nine, lying west, and adjoining to the boundary line established by the treaty of Greenville, shall be attached to, and made a part of the district of Cincinnati; and the residue of the lands to which the Indian title was extinguished by the said treaty, and other treaties made at Vincennes in the same year, shall be attached to, and made a part of the district of Vincennes; and the said lands, with the exception of section number sixteen, which shall be reserved in each township for the use of schools within the same, shall be offered for sale to the highest bidder, under the direction of the register of the land-office, and of the receiver of public monies, at the places respectively where the land-offices are kept, and on such day or days as shall by proclamation of the President of the United States, be designated for that purpose; the sales shall remain open at Cincinnati one week, and at Vincennes three weeks and no longer; the lands shall not be sold for less than two dollars an acre, and shall in every other respect be sold in tracts of the same size, and on the same terms and conditions, as have been or may be provided for lands sold in the same districts; all the lands in the said tracts, with the exception above mentioned, remaining unsold at the close of the said sales, may be disposed of at private sale by the register of the respective land-offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are, or may be provided by law for the sale of lands in the same districts, and patents shall be obtained in the same manner, and on the same terms as for other public lands, sold in the same districts.

SEC. 2. *And be it further enacted*, That the several superintendents of public sales directed by this act, shall receive four dollars a day, for each day's attendance on the said sales.

SEC. 3. *And be it further enacted*, That from and after the first day of June next, the second principal meridian established by the surveyor-general in the Indiana territory, shall be the boundary between the districts of Vincennes and Jeffersonville; and the lands included in the said districts respectively, according to the boundaries above mentioned, shall become a part of the district in which they are included, and shall be sold at the same place, in the same manner, and on the same terms and conditions as the other public lands, lying in the same district.

SEC. 4. *And be it further enacted*, That any person or persons entitled to donation lands, in the district of Vincennes by any former resolution or act of Congress, and who were minors, or did not reside within the

(a) See notes to the act of March 26, 1804, chap. 35.

Indiana territory during the time allowed by law for registering claims to land within the said district, and whose claims have not heretofore been presented to either of the boards of commissioners for adjusting claims to land at Vincennes and Kaskaskia, may, until the first day of November next, give notice, in writing, to the register of the land-office of the said district of their claims, and have the evidence of the same recorded in the same manner, and on payment of the fees provided by an act, entitled "An act making provision for the disposal of the public lands in the Indiana territory, and for other purposes;" and the right of any such persons neglecting to give such notice of his claim, and to have the evidence of the same recorded, shall become void, and for ever be barred.

SEC. 5. *And be it further enacted*, That the register of the land-office and the receiver of public monies at Vincennes shall perform the same duties and exercise the same powers in relation to the claims filed with the register under this act, which by the last recited act were enjoined on, or vested in the commissioners designated by the said act; and it shall also be the duty of the said register and receiver, to make to the Secretary of the Treasury a report of all the claims thus filed with the register of the land-office, together with the substance of the evidence adduced in support thereof, with such remarks thereon as they may think proper; which report, together with a list of the claims, which in the opinion of the register and receiver ought to be confirmed, shall be laid by the Secretary of the Treasury before Congress at their next session, for their determination thereon; and the said register and receiver shall each be allowed an additional compensation of one hundred dollars, in full for their services in relation to such claims, and one hundred dollars for clerk hire.

SEC. 6. *And be it further enacted*, That a tract of land in the Illinois territory, at, and including Shawneetown, on the Ohio river, shall, under the direction of the surveyor-general, be laid off into town lots, streets and avenues, and into out lots, in such manner and of such dimensions as he may judge proper: *Provided*, the tract so to be laid off shall not exceed the quantity of land contained in two entire sections, nor the town lots one quarter of an acre each. When the survey of the lots shall be completed, a plat thereof shall be returned to the surveyor-general, on which the town lots and out lots shall respectively be designated by progressive numbers, who shall cause two copies to be made, one to be transmitted to the Secretary of the Treasury, and the other to the register of the land-office; and the lots shall be offered to the highest bidder at public sale, at the same time and place, on the same terms and conditions, (except as to the quantity of land,) as have or may be provided for the sale of the other public lands in the said territory: *Provided*, that no town lot shall be sold for a less price than eight dollars, nor any out lot for less than at the rate of five dollars an acre.

APPROVED, April 30, 1810.

CHAP. XXXVI.—*An Act to extend the time for making payment for the Public Lands of the United States in certain cases.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who, prior to the first day of January, one thousand eight hundred and six, had purchased any tract or tracts of land of the United States, not exceeding in the whole, six hundred and forty acres, at any of the land-offices established for the disposal of said lands, whether such purchase was made at public or private sale, (sales by virtue of a pre-emption right only excepted,) and whose lands have not already been actually sold or reverted to the United States for non-payment of part of the purchase money,

Mode of proceeding for having them recorded.

Act of March 26, 1804, ch. 35. Persons not giving notice to be barred.

Register of the land office and the receiver of public monies at Vincennes, how affected by this act.

Compensation.

A tract of land in the Illinois territory to be laid off under direction of surveyor-general.

The tract laid off into lots not to exceed the quantity in two sections.

No town lot to be sold for less than eight dollars.

STATUTE II.

April 30, 1810.

Act of March 2, 1809, ch. 26.

Actual settlers, with some exceptions, under purchases from the United States allowed a further time to make their payments.

Two years allowed for the payment of the residue.

Mode of payment of the residue.

Provision in cases where the lands have reverted to the U. States.

Proviso, that application be made before June 1, 1810.

and who shall for the term of at least one year previous to the expiration of five years from the date of the purchase of the land, have actually inhabited and cultivated any one tract of land thus purchased, and the time for making the last payment on account of such purchase according to former laws, may have expired or shall expire on or before the first day of January next, shall be allowed a further term of two years, for the payment of the residue of the principal due on account of such purchase; which further term of two years shall be calculated to commence from the expiration of one year from and after the day on which the last payment on account of such purchase should, according to former laws, have become due, and shall be allowed only on the following conditions, that is to say: First, that all the arrears of interest on the land purchased to the end of one year, from and after the day on which the last payment on account of such purchase should, according to former laws, have become due, shall have been paid at or before the end of such year: Second, that the residue of the sum due on account of the principal of such purchase shall be paid with interest thereon, in two equal annual payments, viz: one half of the said residue with the interest, which may then be due thereon, within one year; and the other half of the said residue, with the interest which may then be due thereon, within two years after the expiration of one year, from and after the day on which the last payment on account of such purchase should, according to former laws, have become due. And in case of failure in paying either the arrears of interest, or each of the two instalments of principal, with the accruing interest, at the time and times above mentioned, the tract of land shall be forthwith advertised and offered for sale in the manner and on the terms and conditions now prescribed for the sale of lands, purchased from the United States, and not paid for within the limited time; and shall revert, in like manner, to the United States, if the sum due with interest, be not at such sale bidden and paid.

And in cases where any tract or tracts of land, not in the whole exceeding six hundred and forty acres, which have since the first day of January last, reverted to the United States, for default of payment, the original purchaser may again enter the same tract or tracts. And all monies which such original purchaser may have paid shall be replaced to his credit, by the receiver of public monies of the respective land-offices, and such re-purchasers shall be allowed the same benefits of the extension of the time of payment, created by this act, as though no such reversion had occurred: *Provided*, such original purchaser shall make to the proper land officer such application for such re-entry, as is required by law for the entry of lands, on or before first day of June next, and the land so reverted shall not have then been previously resold.

APPROVED, April 30, 1810.

STATUTE II.

April 30, 1810.

Repealed by act of March 3, 1825.

CHAP. XXXVII.—*An Act regulating the Post-office Establishment.* (a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be established, at

(a) For the decisions of the courts of the United States on the duties and obligations of the "Postmaster General," "Postmasters," and "the Post-office," see act of May 8, 1794, chap. 23, vol. i. 363.

Previous acts for the regulation of the Post-office department:—

An act for the temporary establishment of the post-office. (Obsolete.) September 22, 1789, chap. 16.

An act to continue in force for a limited time, "An act for the temporary establishment of the post-office." (Obsolete.) August 4, 1790, chap. 36.

An act to continue in force for a limited time, "an act for the temporary establishment of the post-office." (Obsolete.) March 3, 1791, chap. 23.

An act to establish the post-office and post roads within the United States. (Expired.) February 20, 1792, chap. 7.

the seat of government of the United States, a general post-office, under the direction of a Postmaster-General. The Postmaster-General shall appoint two assistants, and such clerks as may be necessary, for performing the business of his office. He shall establish post-offices and appoint postmasters, at all such places as shall appear to him expedient, on the post roads that are or may be established by law. He shall give his assistants, the postmasters, and all other persons whom he shall employ, or who may be employed in any of the departments of the general post-office, instructions relative to their duty. He shall provide for the carriage of the mail on all post roads that are or may be established by law, and as often as he, having regard to the productiveness thereof, and other circumstances, shall think proper. He may direct the route or road, where there are more than one between places designated by law for a post road, which route shall be considered the post road. He shall obtain from the postmasters their accounts and vouchers for their receipts and expenditures once in three months, or oftener, with the balances thereon arising in favour of the general post-office. He shall pay all expenses which may arise in conducting the post-office, and in the conveyance of the mail, and all other necessary expenses arising on the collection of the revenue and management of the general post-office. He shall prosecute offences against the post-office establishment. He shall once in three months render to the Secretary of the Treasury a quarterly account of all the receipts and expenditures in the said department, to be adjusted and settled as other public accounts. He shall also superintend the business of the department in all the duties, that are or may be assigned to it: *Provided*, that in case of the death, resignation or removal from office of the Postmaster-General, all his duties shall be performed by his senior assistant, until a successor shall be appointed and arrive at the general post-office to perform the business. (a)

SEC. 2. *And be it further enacted*, That the Postmaster-General, and all other persons employed in the general post-office, or in the care, custody or conveyance of the mail, shall, previous to entering upon the

General post-office established at the seat of government.

Duties of the Postmaster-General.

An act to establish the post-office and post roads within the United States. (Obsolete.) May 8, 1794, chap. 23.

An act in addition to the act entitled, "An act to establish the post-office and post roads in the United States." (Obsolete.) March 3, 1797, chap. 19.

An act to continue in force the 5th section of the act entitled, "An act in addition to the act entitled, An act to establish the post-office and post roads in the United States." (Obsolete.) March 28, 1798, chap. 24.

An act to establish the post-office in the United States. (Repealed.) March 2, 1799, chap. 43.

An act further to alter and establish certain post roads, and for other purposes. (Repealed.) March 26, 1804, chap. 34.

An act to establish certain post roads, and for other purposes. (Repealed.) March 3, 1807, chap. 43.

Acts relating to the post-office department, passed subsequent to the act of April 30, 1810, chap. 37.

An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by duties on sales at auction, and on licenses to retail wines, spirituous liquors, and foreign merchandise, and for increasing the rates of postage. (Repealed.) December 23, 1814, chap. 16.

An act in addition to the act regulating the post-office establishment. (Repealed.) February 27, 1815, chap. 65.

An act to repeal so much of an act passed on the 23d of December, one thousand eight hundred and fourteen, as imposes additional duties on postage, February 1, 1816, chap. 7.

An act in addition to an act to regulate the post-office establishment. (Repealed.) April 9, 1816, ch. 45.

An act to reduce into one, the several acts establishing and regulating the post-office department, March 3, 1825, chap. 64.

An act amendatory of the act regulating the post-office department, March 2, 1827, chap. 61.

An act to increase the salary of the Postmaster-General, March 2, 1827, chap. 62.

An act to change the organization of the post-office department, and to provide more effectually for the settlement of the accounts thereof, July 2, 1836, chap. 270.

A resolution to change the time of making contracts for the transportation of the mail, May 14, 1836.

A resolution to enable the Postmaster-General more readily to change the commencement of the contract year in the post-office department, March 2, 1837.

An act making appropriations for the civil and diplomatic expenses of government for the year one thousand eight hundred and forty-two, May 18, 1842, chap. 29, sec. 1. Act of 1845, chap. 43.

A resolution in relation to the transmission of the British mail between Boston and Canada, and for other purposes, June 15, 1844. Act of March 3, 1845.

(a) Act of March 2, 1827. By the act of March 2, 1827, chap. 62, an addition to the salary of the Postmaster-General, of two thousand dollars was made.

Oath of office.

Violations of their trusts to be punished, as if the persons concerned therein had not taken it.

Postmaster-General may provide for the carriage of the mail.

Free white persons only to be employed in the carriage of the mail.

Postmaster-General may allow the deputy postmasters such compensation as he may judge reasonable.

Post-roads obstructed by gates, &c. &c. to be reported by the Postmaster-General to Congress, that others may be substituted.

duties assigned to them, or the execution of their trusts, and before they shall be entitled to receive any emolument therefor, respectively take and subscribe the following oath or affirmation, before some magistrate, and cause a certificate thereof to be filed in the general post-office: "I, A. B. do swear, or affirm (as the case may be) that I will faithfully perform all the duties required of me, and abstain from every thing forbidden by the laws in relation to the establishment of the post-office and post roads within the United States." Every person who shall be in any manner employed in the care, custody, conveyance or management of the mail, shall be subject to all pains, penalties and forfeitures for violating the injunctions, or neglecting the duties required of him by the laws relating to the establishment of the post-office and post roads, whether such person shall have taken the oath or affirmation above prescribed or not.

SEC. 3. *And be it further enacted*, That it shall be lawful for the Postmaster-General to provide by contract, for the carriage of the mail on any road on which a stage wagon or other stage carriage shall be established, on condition that the expense thereof shall not exceed the revenue thence arising. It shall also be lawful for the Postmaster-General to enter into contracts for a term not exceeding eight years, for extending the line of posts, and to authorize the persons so contracting, as a compensation for their expenses, to receive during the continuance of such contracts, at rates not exceeding those for like distances established by this act, all the postage which shall arise on letters, newspapers, magazines, pamphlets and packets, conveyed by any such post; and the roads designated in such contracts shall, during the continuance thereof, be deemed and considered as post roads within the provision of this act: and a duplicate of every such contract shall, within sixty days after the execution thereof, be lodged in the office of the comptroller of the treasury of the United States.

SEC. 4. *And be it further enacted*, That no other than a free white person shall be employed in carrying the mail of the United States, on any of the post roads, either as a post-rider or driver of a carriage carrying the mail; and every contractor or person who shall have stipulated or may hereafter stipulate to carry the mail, or whose duty it shall be to cause the same to be conveyed on any of the post roads as aforesaid, and who shall, contrary to this act, employ any other than a free white person as a post-rider or driver, or in any other way to carry the mail on the same, shall for every such offence forfeit and pay the sum of fifty dollars; one moiety thereof to the use of the United States, and the other moiety thereof to the person who shall sue for and prosecute the same, before any court having competent jurisdiction thereof.

SEC. 5. *And be it further enacted*, That the Postmaster-General shall be authorized to allow the postmasters at the several distributing offices such compensation as shall be adequate to their several services in that respect: *Provided*, that the same shall not exceed, in the whole, five per cent. on the whole amount of postages on letters and newspapers received for distribution: *Provided also*, that if the number of mails, received at and despatched from any such office is not actually increased by the distributing system, then no additional allowance shall be made to the postmaster.

SEC. 6. *And be it further enacted*, That whenever it shall be made to appear to the satisfaction of the Postmaster-General that any road established, or which may hereafter be established as a post road, is obstructed by fences, gates or bars, or other than those lawfully used on turnpike roads to collect their toll, and not kept in good repair, with proper bridges and ferries where the same may be necessary, it shall be the duty of the Postmaster-General to report the same to Congress with

such information as can be obtained, to enable Congress to establish some other road instead of it in the same main direction.

SEC. 7. *And be it further enacted*, That if any person shall knowingly and wilfully obstruct or retard the passage of the mail, or of any driver or carrier, or of any horse or carriage carrying the same, he shall, upon conviction, for every such offence, pay a fine not exceeding one hundred dollars: and if any ferryman shall by wilful negligence or refusal to transport the mail across any ferry, delay the same, he shall forfeit and pay for each ten minutes that the same shall be so delayed, a sum not exceeding ten dollars.

SEC. 8. *And be it further enacted*, That it shall be the duty of the Postmaster-General to give public notice in one or more of the newspapers published at the seat of government of the United States, and in one or more of the newspapers published in the state or states or territory, where the contract is to be performed, for at least six weeks before entering into any contract for carrying the mail, that such contract is intended to be made, and the day on which it is to be concluded, describing the places from and to which such mail is to be conveyed, the time at which it is to be made up, and the day and hour at which it is to be delivered. He shall moreover within ninety days after the making of any contract, lodge a duplicate thereof, together with the proposals which he shall have received respecting it, in the office of the comptroller of the treasury of the United States: *Provided*, that no contract shall be entered into for a longer term than four years.

SEC. 9. *And be it further enacted*, That every postmaster shall keep an office in which one or more persons shall attend on every day on which a mail, or bag, or other packet or parcel of letters shall arrive by land or water, as well as on other days, at such hours as the Postmaster-General shall direct, for the purpose of performing the duties thereof; and it shall be the duty of the postmaster at all reasonable hours, on every day of the week, to deliver, on demand, any letter, paper or packet, to the person entitled to or authorized to receive the same; and all letters brought to any post-office half an hour before the time of making up the mail at such office shall be forwarded therein; except at such post-offices, where, in the opinion of the Postmaster-General, it requires more time for making up the mail, and which he shall accordingly prescribe; but this shall in no case exceed one hour.

SEC. 10. *And be it further enacted*, That no fees or perquisites shall be received by any person employed in the general post-office on account of the duties to be performed by virtue of his appointment.

SEC. 11. *And be it further enacted*, That the following rates of postage shall be charged on all letters and packets (excepting such as are herein after exempted) conveyed by the posts of the United States, viz. for every letter composed of a single sheet of paper, conveyed not exceeding forty miles, eight cents; over forty, and not exceeding ninety miles, ten cents; over ninety, and not exceeding one hundred and fifty miles, twelve and a half cents; over one hundred and fifty, and not exceeding three hundred miles, seventeen cents; over three hundred, and not exceeding five hundred miles, twenty cents; over five hundred miles, twenty-five cents. And for every double letter, or one composed of two pieces of paper, double those rates; and for every triple letter, or one composed of three pieces of paper, triple those rates; and for every packet composed of four or more pieces of paper, or other thing, and weighing one ounce avoirdupois, quadruple those rates, and in that proportion for all greater weight: *Provided*, that no packet of letters conveyed by the water mails shall be charged with more than quadruple postage, unless the same shall actually contain more than four distinct letters. No postmaster shall be obliged to receive, to be conveyed by the mail, any packet which shall weigh more than three pounds: and

Penalties for obstructing or retarding the mail.

Proposals for contracts to be published by the Postmaster-General.

Duplicates of contracts and proposals to be lodged in the comptroller's office.

Postmasters to have regular attendance in their offices.

Prescribed by the Postmaster-General.

Regulations concerning letters.

No fees or perquisites allowable in the general post-office.

Rates of postage.

Act of Dec. 23, 1814, ch. 16, sec. 2.

the postage marked on any letter or package, and charged on the post bill which may accompany the same, shall, in favour of the postmaster who delivers out said letter, be conclusive evidence of the lawful postage thereon, unless said letter shall be opened in the presence of the said postmaster or his clerk.

Postage upon foreign letters and those carried coastwise.

SEC. 12. *And be it further enacted*, That every letter or packet brought into the United States, or carried from one port therein to another, in any private ship or vessel, shall be charged with six cents, if delivered at the post-office where the same shall arrive, and if destined to be conveyed by post to any other place, with two cents added to the ordinary rates of postage.

Penalties for charging unauthorized rates of postage.

SEC. 13. *And be it further enacted*, That if any postmaster, or other person authorized by the Postmaster-General, to receive the postage of letters, shall fraudulently demand or receive any rate of postage, or gratuity or reward, other than is provided by this act, for the postage of letters or packets; on conviction thereof he shall forfeit for every such offence, one hundred dollars, and shall be rendered incapable of holding any office or appointment under the government of the United States.

Letters to be delivered to the postmasters from vessels, previous to their being permitted to report, &c.

SEC. 14. *And be it further enacted*, That no ship or vessel arriving at any port within the United States, where a post-office is established, shall be permitted to report, make entry, or break bulk, until the master or commander shall have delivered to the postmaster all letters directed to any person or persons within the United States, or the territories thereof, which, under his care, or within his power shall be brought in such ship or vessel, except such as are directed to the owner or consignee of the ship or vessel, and except also such as are directed to be delivered at the port of delivery to which such ship or vessel may be bound. And it shall be the duty of the collector, or other officer of the port, empowered to receive entries of ships or vessels, to require, from every master or commander of such ship or vessel, an oath or affirmation, purporting that he has delivered all such letters, except as aforesaid. And if any commander or master of any ship or vessel shall break bulk before he shall have complied with the requirements of this act, every such offender shall, on conviction thereof, forfeit for every such offence a sum not exceeding one hundred dollars.

Masters of vessels to take an oath as to the delivery of letters, &c.

Penalties.

Masters of vessels, except those of foreign packets, to receive postage for letters brought and delivered by them.

SEC. 15. *And be it further enacted*, That the postmasters to whom such letters may be delivered, shall pay to the master or commander, or other person, delivering the same, except the commanders of foreign packets, two cents for each letter or packet, and shall obtain, from the person delivering the same, a certificate specifying the number of letters and packets, with the name of the ship or vessel, and the place from whence she last sailed; which certificate, together with a receipt for the money, shall be, with his quarterly accounts, transmitted to the Postmaster-General, who shall credit him with the amount.

Penalties for setting up posts between post towns.

SEC. 16. *And be it further enacted*, That if any person, other than the Postmaster-General or his deputies, or persons by them employed, shall be concerned in setting up or maintaining any foot or horse post, stage wagon, or other stage carriage or sleigh on any established post road, or from one post town to another post town, on any road adjacent or parallel to an established post road, or any packet boat or other vessel to ply regularly from one place to another, between which a regular communication by water shall be established by the United States, and shall receive any letter or packet, other than newspapers, magazines or pamphlets, and carry the same by such foot or horse post, stage wagon or other stage, carriage, or sleigh, packet boat or vessel, (excepting only such letter or letters as may be directed to the owner or owners of such conveyance, and relating to the same, or to the person to whom any packet or bundle in such conveyance is intended to be delivered,) every person so offending shall forfeit for every such offence the sum of fifty

dollars: *Provided*, that it shall be lawful for any person to send letters or packets by a special messenger.

SEC. 17. *And be it further enacted*, That the deputy postmasters and other agents of the Postmaster-General shall duly account and answer to him, for all way letters which shall come to their hands; and for this purpose the post riders and other carriers of the mail, receiving any way letter or letters (and it shall be their duty to receive them, if presented more than two miles from a post-office) shall deliver the same, together with the postage, if paid, at the first post-office to which they shall afterwards arrive, where the postmaster shall duly enter the same, and specify the number and rate or rates in the post bill, adding to the rate of each way letter, one cent, which shall be paid by the postmaster to the mail carrier from whom such way letters shall be received. And that letters directed to persons living between post-offices may be delivered, and the postage thereof duly collected, it shall be the duty of the carriers of the mail to take charge of, and deliver all such letters as shall for that purpose be committed to them by any postmaster, and collect the postage thereof, which shall be paid over to such postmaster on demand. And for every letter so delivered, the mail carrier delivering the same shall be allowed to demand and receive two cents to his own use, besides the ordinary postage. And if any postmaster or other agent of the Postmaster-General shall neglect so to account, he or they so offending shall, on conviction thereof, forfeit for every such offence a sum not exceeding fifty dollars: *Provided*, that no mail carrier shall make such deliveries at any place not on the post road: *Provided also*, that the receipt and delivery of letters on the way, between post-offices, shall not be required of the mail carriers in cases where, in the opinion of the Postmaster-General, the time or manner of carrying the mail, or the speed of conveyance, is incompatible with such receipts and deliveries.

SEC. 18. *And be it further enacted*, That if any person, employed in any of the departments of the general post-office, shall unlawfully detain, delay or open any letter, packet, bag or mail of letters, with which he shall be entrusted, or which shall have come to his possession, and which are intended to be conveyed by post, or if any such person shall secrete, embezzle or destroy any letter or packet entrusted to him as aforesaid, and which shall not contain any security for, or assurance relating to money, as herein after described, every such offender, being thereof duly convicted, shall, for every such offence, be fined, not exceeding three hundred dollars, or imprisoned, not exceeding six months, or both, according to the circumstances and aggravations of the offence. And if any person, employed as aforesaid, shall secrete, embezzle or destroy any letter, packet, bag or mail of letters, with which he shall be entrusted, or, which shall have come to his possession, and are intended to be conveyed by post, containing any bank note or bank post bill, bill of exchange, warrant of the treasury of the United States, note of assignment of stock in the funds, letters of attorney for receiving annuities or dividends, or for selling stock in the funds, or for receiving the interest thereof, or any letter of credit, or note for or relating to payment of monies, or any bond or warrant, draft, bill or promissory note, covenant, contract or agreement whatsoever, for or relating to the payment of money, or the delivery of any article of value, or the performance of any act, matter, or thing, or any receipt, release, acquittance or discharge of or from any debt, covenant or demand, or any part thereof, or any copy of any record of any judgment or decree, in any court of law or chancery, or any execution which may have issued thereon, or any copy of any other record, or any other article of value, or any writing representing the same; or if any such person, employed as aforesaid, shall steal or take any of the same out of any letter, packet, bag or mail of letters, that shall come to his possession, he shall, on conviction, for any such offence, be im-

Regulations
concerning way
letters.

Penalties for
unlawfully detain-
ing, or opening
letters, packets,
&c. &c.

prisoned not exceeding ten years. And if any person, who shall have taken charge of the mail of the United States, shall quit or desert the same, before he delivers it into the post-office kept at the termination of his route, or to some known mail carrier, or agent of the general post-office authorized to receive the same, every such person, so offending, shall forfeit and pay a sum not exceeding five hundred dollars for every such offence. And if any person, concerned in carrying the mail of the United States, shall collect, receive or carry any letter or packet, or shall cause or procure the same to be done, contrary to this act, every such offender shall forfeit and pay, for every such offence, a sum not exceeding fifty dollars.

Robberies of
the mails, how
punishable.

SEC. 19. *And be it further enacted*, That if any person shall rob any carrier of the mail of the United States or other person entrusted therewith, of such mail, or of part thereof, such offender or offenders shall, on conviction, be imprisoned not exceeding ten years, and if convicted a second time of a like offence, he or they shall suffer death; or if in effecting such robbery of the mail, the first time, the offender shall wound the person having custody thereof, or put his life in jeopardy, by the use of dangerous weapons, such offender or offenders shall suffer death.^(a) And if any person shall attempt to rob the mail of the United States, by assaulting the person having custody thereof, shooting at him or his horse or mule, or threatening him with dangerous weapons, and the robbery is not effected, every such offender, on conviction thereof, shall be punished by imprisonment not exceeding three years. And if any person shall steal the mail, or shall steal or take from or out of any mail, or from or out of any post-office, any letter or packet, or if any person shall take the mail, or any letter or packet therefrom or from any post-office, whether with or without the consent of the person having custody thereof, and shall open, embezzle, or destroy any such mail, letter, or packet, the same containing any article of value, or evidence of any debt, due, demand, right or claim, or any release, receipt, acquittance or discharge, or any other article, paper or thing mentioned and described in the eighteenth section of this act, or if any person shall, by fraud or deception, obtain, from any person having custody thereof, any mail, letter or packet, containing any article of value, or evidence thereof, or either of the writings referred to, or next above mentioned, such offender or offenders, on conviction thereof, shall be imprisoned not exceeding seven years. And if any person shall take any letter or packet, not containing any article of value or evidence thereof, out of a post-office, or shall open any letter or packet which shall have been in a post-office, or in the custody of a mail carrier, before it shall have been delivered to the person to whom it is directed, with a design to obstruct the correspondence, to pry into another's business or secrets, or shall secrete, embezzle or destroy any such mail, letter or packet, such offender, upon conviction, shall pay for every such offence a sum not exceeding five hundred dollars.

Penalties for
injuring the
portmanteaus,
&c. &c. in which
mails may be
carried.

SEC. 20. *And be it further enacted*, That if any person shall rip, cut, tear, burn, or otherwise injure any portmanteau, valise, or other bag used, or designed to be used by any person acting under the authority of the Postmaster-General, or any person in whom his powers are vested in the conveyance of any mail, letter, packet, newspaper or pamphlet, or shall draw or break any staple, or loosen any part of any lock, chain or strap attached or belonging to any such valise, portmanteau, or bag, with an intent to rob or steal any mail, letter, packet, newspaper or pamphlet, or to render either of the same insecure, every such offender, upon conviction, shall for every such offence pay a sum not exceeding five hundred dollars, or be imprisoned not exceeding three years, at the discretion of the court before whom such conviction is had.

(a) See act of March 3, 1825, ch. 65, sec. 22.

SEC. 21. *And be it further enacted*, That every person who from and after the passage of this act shall procure, aid, advise, or assist in the doing or perpetration of any of the acts or crimes, by this act forbidden to be done or performed, shall be subject to the same penalties and punishments as the persons are subject to, who shall actually do or perpetrate any of said acts or crimes, according to the provision of this act.

Accessories
to be punished
as principals.

SEC. 22. *And be it further enacted*, That every person who shall be imprisoned by a judgment of court, under and by virtue of the eighteenth, nineteenth, twentieth or twenty-first sections of this act, shall be kept at hard labour during the period of such imprisonment.

SEC. 23. *And be it further enacted*, That the postmasters shall, respectively, publish, at the expiration of every three months, or oftener, when the Postmaster-General shall so direct, in one of the newspapers published at or nearest the place of his residence, for three successive weeks, a list of all the letters remaining in their respective offices, or, instead thereof, shall make out a number of such lists, and cause them to be posted at such public places in their vicinity, as shall appear to them best adapted for the information of the parties concerned; and at the expiration of the next three months, shall send such of the said letters as then remain on hand, as dead letters, to the general post-office, where the same shall be opened and inspected; and if any valuable papers or matter of consequence shall be found therein, it shall be the duty of the Postmaster-General to return such letter to the writer thereof, or cause a descriptive list thereof to be inserted in one of the newspapers, published at the place most convenient to the supposed residence of the owner, if within the United States; and such letter, and the contents, shall be preserved to be delivered to the person to whom the same shall be addressed, upon payment of the postage, and the expense of publication. And if such letter, with its contents, be not demanded by the person to whom it is addressed, or the owner thereof, or his lawful agent, within two years after the advertisement thereof as aforesaid, the said contents shall be applied to the use of the United States, until the same shall be reclaimed by the proprietor thereof. The manner of such application to be specially stated by the Postmaster-General, to the Secretary of the Treasury.

Regulations
concerning un-
claimed letters,
&c. &c.

SEC. 24. *And be it further enacted*, That letters and packets, to and from the following officers of the United States, shall be received and conveyed by post, free of postage. (a) Each postmaster, provided each

Persons to and
from whom let-
ters go free of
postage.

(a) Privilege of Franking:—

An act to establish the post-office and post roads within the United States. (Obsolete.) February 20, 1792, chap. 7, sec. 19.

An act to establish the post-office and post roads within the United States. (Expired.) May 8, 1794, chap. 23, sec. 19.

An act to extend the privilege of franking to the secretary of the navy. (Repealed.) June 22, 1798, chap. 56.

An act extending the privilege of franking letters to the delegate from the territory of the United States northwest of the river Ohio. (Obsolete.) December 15, 1800, chap. 1.

By an act of March 3, 1801, chap. 35, the privilege of franking was given to John Adams.

An act extending the privilege of franking, and receiving letters free of postage, to any person admitted, or to be admitted to take a seat as delegate, and providing compensation for such delegate. (Obsolete.) February 18, 1802, chap. 5.

An act to provide for the prompt settlement of public accounts, March 3, 1817, chap. 45, sec. 16.

An act regulating the staff of the army, April 14, 1818, chap. 34, sec. 10.

An act in addition to an act entitled, "An act regulating the post-office establishment," March 13, 1820, chap. 21.

An act to reduce into one act the several acts establishing and regulating the post-office department, March 3, 1825, chap. 64, sec. 27, 28, 40.

By the 27th section of the act of March 3, 1825, chap. 64, such individual as may have been, or shall be, President of the United States, has the privilege of franking.

Resolution authorizing the speaker of the House of Representatives to frank letters and packages, April 3, 1828.

Resolution in relation to Charles Carroll of Carrollton, May 23, 1828.

An act to extend the privilege of franking letters and packages to Dolly P. Madison, July 2, 1836, chap. 270.

of his letters or packets shall not exceed half an ounce in weight; each member of the Senate, and each member and delegate of the House of Representatives of the Congress of the United States; the secretary of the Senate and clerk of the House of Representatives, provided each letter or packet shall not exceed two ounces in weight, and during their actual attendance in any session of Congress, and twenty days after such session, and in case of excess of weight, that excess alone shall be paid for; the President of the United States; Vice President, the secretaries of state, of the treasury, of war, of the navy; the attorney-general; the comptroller; treasurer; auditor; register; supervisor of the direct tax for the district of South Carolina; superintendent of Indian trade; purveyor; the inspector and paymaster of the army; accountants of the war and navy departments; postmaster-general; and the assistants postmaster-general; John Adams, a former President of the United States; and Thomas Jefferson, late President of the United States; and they may all receive their newspapers by post, free of postage: *Provided*, that the members of the Senate and House of Representatives, secretary of the Senate and clerk of the House of Representatives, shall receive their newspapers, free of postage, only during any session of Congress, and twenty days after the expiration of the same: *And provided*, that no letter or packet from any public officer shall be conveyed by post, free of postage, unless he shall frank the same, by writing his name and office on the outside of such letter or packet, and until he has previously furnished the postmaster of the office where he shall deposit the same, with a specimen of his signature.

Penalties upon
franking other
letters than their
own.

Proviso.

SEC. 25. *And be it further enacted*, That if any person shall frank letters other than those written by himself, or by his order on the business of his office, he shall, on conviction thereof, pay a fine of ten dollars: *Provided*, that the Secretary of the Treasury, Secretary of State, Secretary of War, Secretary of the Navy, and Postmaster-General, may frank letters or packets on official business, prepared in any other public office, in the absence of the principal thereof. And if any person, having the right to receive his letters free of postage, shall receive enclosed to him any letter or packet addressed to a person not having that right, it shall be his duty to return the same to the post-office—marking thereon, the place from whence it came, that it may be charged with postage. And if any person shall counterfeit the handwriting or frank of any person or cause the same to be done, in order to avoid the payment of postage, each person so offending shall pay for every such offence fifty dollars.

Regulation
concerning
newspapers.

SEC. 26. *And be it further enacted*, That every printer of newspapers may send one paper to each and every other printer of newspapers within the United States, free of postage, under such regulations as the Postmaster-General shall provide.

Further regu-
lations concern-
ing newspapers,
&c.

SEC. 27. *And be it further enacted*, That all newspapers conveyed in the mail shall be under cover, open at one end, and charged with a postage of one cent each, for any distance not more than one hundred miles, and one and an half cents for any greater distance: *Provided*, that the postage of a single newspaper from any one place to another in the same state, shall not exceed one cent; and that the Postmaster-General

An act authorizing the governors of the several states to transmit by mail certain books and documents, June 30, 1834, chap. 168.

An act to provide for the appointment of solicitor of the treasury, May 29, 1830, chap. 153, sec. 11.

An act to carry into effect the convention between the United States and his majesty the king of the French, &c., July 13, 1832, chap. 199, sec. 8.

An act to continue the office of the commissioner of pensions, March 3, 1835, chap. 44, sec. 3.

An act to promote the progress of the useful arts, &c., July 4, 1836, chap. 357, sec. 1.

An act to authorize the chief clerk in the office of the Secretary of State, to frank public and official documents, sent from the office, February 15, 1843, chap. 3.

An act authorizing the transmission of letters and packets to and from Mrs. Harrison, free of postage, September 9, 1841, chap. 19. See act of March 3, 1845, chap. 43.

shall require those who receive newspapers by post, to pay always the amount of one quarter's postage in advance. If any person employed in any department of the post-office shall improperly detain, delay, embezzle or destroy any newspaper, or shall permit any other person to do the like, or shall open, or permit any other to open any mail or packet of newspapers not directed to the office where he is employed, he shall, on conviction thereof, forfeit a sum not exceeding fifty dollars for every such offence. And if any other person shall open any mail or packet of newspapers, or shall embezzle or destroy the same, not being directed to himself, or not being authorized to receive and open the same, he shall, on conviction thereof, pay a sum not exceeding twenty dollars for every such offence. And if any person shall take or steal any packet, bag or mail of newspapers from or out of any post-office, or from any person having custody thereof, such person shall, on conviction, be imprisoned, not exceeding three months for every such offence, to be kept at hard labour during the period of such imprisonment. If any person shall enclose or conceal a letter or other thing, or any memorandum in writing in a newspaper, or among any package of newspapers, which he shall have delivered into any post-office, or to any person for that purpose, in order that the same may be carried by post, free of letter postage, he shall forfeit the sum of five dollars for every such offence; and the letter, newspaper, package, memorandum or other thing, shall not be delivered to the person to whom it is directed until the amount of single letter postage is paid for each article of which the package shall be composed. No newspapers shall be received by the postmasters to be conveyed by post, unless they are sufficiently dried and enclosed, in proper wrappers, on which, beside the direction, shall be noted the number of papers which are enclosed for subscribers, and the number for printers. The Postmaster-General, in any contract he may enter into for the conveyance of the mail, may authorize the person with whom such contract is to be made, to carry newspapers, magazines and pamphlets, other than those conveyed in the mail. When the mode of conveyance and the size of the mails will admit of it, magazines and pamphlets may be transported in the mail at one cent a sheet, for any distance not exceeding fifty miles, at one cent and an half for any distance over fifty and not exceeding one hundred miles, and two cents for any greater distance.

SEC. 28. *And be it further enacted*, That the Postmaster-General be authorized to allow to the postmasters respectively, such commission on the monies arising from the postages of letters and packets as shall be adequate to their respective services and expenses: *Provided*, that the said commission shall not exceed thirty per cent. on the first hundred dollars collected in one quarter, and twenty-five per cent. on a sum over one hundred and not more than three hundred; and twenty per cent. on any sum over four hundred and not exceeding two thousand dollars; and eight per cent. on any sum collected, being over two thousand four hundred dollars; except to the postmasters who may be employed in receiving and despatching foreign mails, whose compensation may be augmented, not exceeding twenty-five dollars, in one quarter, and excepting to the postmasters at offices where the mail is regularly to arrive, between the hours of nine o'clock at night and five o'clock in the morning; whose commission on the first hundred dollars collected in one quarter, may be increased to a sum not exceeding fifty per cent. The Postmaster-General may allow to the postmasters respectively, a commission of fifty per cent. on the monies arising from the postage of newspapers, magazines and pamphlets; and to the postmasters, whose compensation shall not exceed five hundred dollars in one quarter, two cents for every free letter delivered out of the office, excepting such as are for the postmaster himself; and each postmaster who shall be required to keep a

Regulations
concerning
newspapers,
&c.

Compensation
of the postmas-
ters.

Limitation of
compensation.

register of the arrival and departure of the mails, shall be allowed ten cents for each monthly return which he makes thereof to the general post-office.

Postmasters to settle their accounts, and pay over to the Postmaster-General the balances in their hands every three months.

SEC. 29. *And be it further enacted*, That if any postmaster or other person authorized to receive the postage of letters and packets shall neglect or refuse to render his accounts, and pay over to the Postmaster-General the balance by him due at the end of every three months, it shall be the duty of the Postmaster-General to cause a suit to be commenced against the person or persons so neglecting or refusing; and if the Postmaster-General shall not cause such suit to be commenced within six months from the end of every such three months, the balances due from every such delinquent shall be charged to and recoverable from the Postmaster-General. That all suits which shall be hereafter commenced for the recovery of debts or balances due to the general post-office, whether they appear by bond or obligations made in the name of the existing or any preceding Postmaster-General, or otherwise, shall be instituted in the name of the "Postmaster-General of the United States." That certified copies under the seal of the general post-office, of the accounts current of the several postmasters, after the same shall have been examined and adjusted at that office, shall be admitted as evidence in all suits brought by the Postmaster-General for the recovery of balances or debts due from postmasters, and in like manner copies of such accounts current as are lodged in the office of the register of the treasury, certified by the register under the seal of his office, shall be admitted as evidence.^(a)

Penalties upon the postmasters for not making duly their returns to the general post-office.

Act of March 3, 1825, ch. 103.

Persons to whom pecuniary penalties and forfeitures are to enure.

SEC. 30. *And be it further enacted*, That if any postmaster or other person who shall receive and open, or despatch mails, shall neglect to render accounts thereof for one month after the time, and in the form and manner prescribed by law, and by the Postmaster-General's instructions conformable therewith, he shall forfeit double the value of the postages which shall have arisen at the same office in any equal portion of time previous or subsequent thereto; or in case no account shall have been rendered at the time of trial of such case, then such sum as the court and jury shall estimate equivalent thereto, to be recovered by the Postmaster-General in an action on the case.

SEC. 31. *And be it further enacted*, That all pecuniary penalties and forfeitures incurred under this act, shall be one half for the use of the person or persons informing and prosecuting for the same, and the other half to the use of the United States.

SEC. 32. *And be it further enacted*, That it shall be lawful for the

(a) The circuit courts of the Union have jurisdiction under the constitution and the acts of April 30, 1810, and of March 3, 1815, sec. 4, of suits brought in the name of "the Postmaster-General of the United States," on a bond given to the Postmaster-General, by a deputy postmaster, conditioned "to pay all monies that shall come to his hands for the postages of whatever is by law chargeable with postage, to the Postmaster-General of the United States," for the time being, deducting only the commission and allowances made by law, for his care, trouble, and charges in managing such office, &c. *Postmaster-General v. Early*, 12 Wheat. 136; 6 Cond. Rep. 480.

The Postmaster-General has a right to take a bond from postmasters, to him, as Postmaster-General, under the different acts regulating the post-office department, and particularly under the act of April 30, 1810, sec. 29, 42. *Ibid*.

The Postmaster-General cannot sue in the federal courts, under that part of the constitution which gives jurisdiction to those courts in consequence of the character of the party, nor is he authorized to sue by the judiciary act. He comes into the courts of the United States, under the authority of an act of Congress, the constitutionality of which rests on the admission that his suit is a case arising under a law of the United States. *Osborne et al. v. The Bank of the United States*, 9 Wheat. 738; 5 Cond. Rep. 741.

The claim of the United States on the official bond of a postmaster, and upon all the parties thereto, is not released by the laches of the Postmaster-General, to whom the assertion of this claim is entrusted by law. Such laches have no effect whatsoever on the claims of the United States, as well on the sureties, as on the principal in the bond. *Dox et al. v. The Postmaster-General*, 1 Peters, 323. *Postmaster-General v. Reader*, 4 Wash. C. C. R. 678.

The provisions of the act of March 3, 1825, releasing the securities of a deputy postmaster, where suit is not brought within two years after a default, do not apply to a default which occurred before the passing of the act. *Postmaster-General v. Rice*, Gilpin's D. C. R. 462.

Postmaster-General to make provision, where it may be necessary, for the receipt of all letters and packets intended to be conveyed by any ship or vessel beyond sea, or from any port in the United States, to another port therein; and the letters so received shall be formed into a mail, sealed up and directed to the postmaster of the port to which such ship or vessel shall be bound. And for every letter or packet so received, there shall be paid at the time of its reception, a postage of one cent, which shall be for the use of the postmasters, respectively receiving the same. And the Postmaster-General may make arrangements with the postmasters in any foreign country, for the reciprocal receipt and delivery of letters and packets through the post-offices.

SEC. 33. *And be it further enacted*, That the postmasters and the persons employed in the transportation of the mail shall be exempt from militia duties, and serving on juries, or any fine or penalty for neglect thereof.

SEC. 34. *And be it further enacted*, That letter carriers shall be employed at such post-offices as the Postmaster-General shall direct, for the delivery of letters in the places respectively, where such post-offices are established; and for the delivery of each such letter, the letter carrier may receive of the person to whom the delivery is made, two cents: *Provided*, that no letter shall be delivered to such letter carrier for distribution, addressed to any person who shall have lodged at the post-office a written request that his letters shall be detained in the office. And for every letter lodged at any post-office, not to be carried by post, but to be delivered at the place where it is to be so lodged, the postmaster shall receive one cent of the person to whom it shall be delivered.

SEC. 35. *And be it further enacted*, That all causes of action arising under this act may be sued, and all offenders against this act may be prosecuted, before the justices of the peace, magistrates and other judicial courts of the several states, and of the several territories of the United States, they having competent jurisdiction by the laws of such states or territories, to the trial of claims and demands of as great value, and of the prosecutions where the punishments are of as great extent; and such justices, magistrates or judiciary, shall take cognizance thereof and proceed to judgment and execution, as in other cases.

SEC. 36. *And be it further enacted*, That in all suits or causes arising under this act, the court shall proceed to trial, and render judgment the first term after such suit shall be commenced: *Provided always*, that whenever service of the process shall not have been made twenty days at least previous to the return day of such term, the defendant shall be entitled to one continuance, if the court on the statement of such defendant, shall judge it expedient: *Provided also*, that if the defendant in such suits shall make affidavit that he has a claim against the general post-office, not allowed by the Postmaster-General, although submitted to him conformably to the regulations of the post-office, and shall specify such claim in the affidavit, and that he could not be prepared for the trial at such term for want of evidence, the court in such case, being satisfied in those respects, may grant a continuance until the next succeeding term.

SEC. 37. *And be it further enacted*, That it shall be the duty of the Postmaster-General to report annually to Congress, every post road which shall not after the second year from its establishment, have produced one third of the expense of carrying the mail on the same.

SEC. 38. *And be it further enacted*, That there shall be allowed to the deputy postmaster, at the city of Washington, for his extraordinary expenses, incurred in the discharge of the duties of his office, an additional compensation, at the rate of one thousand dollars per annum, to be paid out of the funds of the post-office establishment.

SEC. 39. *And be it further enacted*, That the adjutant-general of the

Postmaster-General may provide for the transmission of letters beyond sea.

Letter carriers may be employed at places designated by the Postmaster-General. Proviso.

Before what officers offences under this act may be prosecuted and tried.

In suits under this act the court to proceed to judgment at once.

When a continuance shall be allowed.

Continuance to next term for want of evidence, on affidavit of the defendant.

Postmaster-General to report annually to Congress the unproductive roads.

Additional compensation to be paid to deputy postmaster at Washington.

Adjutant-general of the militia to transmit and receive certain letters free of postage.

Regulation as to the franking privilege under this act.

Emoluments of the postmasters limited to two thousand dollars.

Certain deputy postmasters to report to the Postmaster-General names of their clerks, &c.

Repealing clause.

Act of May 8, 1794, ch. 23.

Act of March 2, 1799, ch. 43.

Proviso.

Act of April 21, 1808, ch. 48.

Proviso, that this act shall not exonerate any person who shall have violated the provisions of former acts.

Officers of the post-office department to hold their offices until otherwise removed.

Their bonds to continue in force.

militia of each state and territory, shall have right to receive, by mail, free of postage, from any major or brigadier-general thereof, and to transmit to said generals, any letter or packet, relating solely to the militia of such state or territory: *Provided always*, that every such officer, before he delivers any such letter or package for transmission, shall in his own proper handwriting, on the outside thereof, endorse the nature of the papers enclosed, and thereto subscribe his name and office, and shall previously furnish the postmaster of the office, where he shall deposit the same, with a specimen of his signature. And if any such officer shall frank any letter or package in which shall be contained any thing relative to any subject other than of the militia of such state or territory, every offender shall, on conviction of every such offence, forfeit and pay a fine of fifty dollars.

SEC. 40. *And be it further enacted*, That from and after the thirtieth day of September next, whenever the annual emoluments of any postmaster, after deducting therefrom the expenditures incident to his office, shall amount to more than two thousand dollars, the surplus shall be accounted for, and paid to the Postmaster-General, and by him to be accounted for in the same manner as other monies accruing from the post-office establishment.

SEC. 41. *And be it further enacted*, That every deputy postmaster, the receipt of whose office exceeds one thousand dollars a year, shall, on the last day of September in each year, transmit to the Postmaster-General of the United States a statement of the expenses of the office under his direction, of the number of clerks, with the time they have been severally employed therein, and their respective names and ages.

SEC. 42. *And be it further enacted*, That from and after the first day of June next, the second section of an act, entitled "An act to establish the post-office and post roads within the United States," approved on the eighth day of May, one thousand seven hundred and ninety-four, and an act, entitled "An act to establish the post-office of the United States," approved on the second day of March, one thousand seven hundred and ninety-nine, and all other acts, and parts of acts heretofore passed for the regulation and government of the general post-office, and of the Postmaster-General and other officers and agents, employed in said office, shall be, and the same are hereby repealed: *Provided*, that an act, entitled "An act concerning public contracts," approved on the twenty-first day of April, one thousand eight hundred and eight, shall be and remain in full force, and no post road heretofore established, shall be discontinued by this act. *Provided also*, that nothing herein contained shall be construed to exonerate any person who shall not have performed the duty, or who shall have violated any of the prohibitions contained in the said acts from suits or prosecutions, but as to all bonds, contracts, debts, demands, rights, penalties, punishments which have been made, have arisen, or have been incurred, or which shall be made, arise, or be incurred previous to the first day of June next the said acts shall have the same force and effect as though this act had not been made: *Provided likewise*, that the Postmaster-General, assistant Postmaster-General, deputy postmasters, contractors for carrying the mail, and others employed under the aforesaid acts, shall continue to hold their several offices, appointments and trusts, until they are otherwise removed; any thing herein contained that might be construed to the contrary notwithstanding; and also the bonds which they, or either of them, have given or may give for the faithful execution of their several duties and offices, shall continue to have the same force and effect, to all intents and purposes, as though this act had not been made.

APPROVED, April 30, 1810.

CHAP. XXXVIII.—*An Act further to alter and amend "An act providing for the third census or enumeration of the inhabitants of the United States."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the first section of the act, passed during the present session of Congress, entitled "An act providing for the third census or enumeration of the inhabitants of the United States," as relates to the forms of the oaths or affirmations thereby directed to be taken by the marshals, secretaries and assistants therein mentioned respectively, shall be and hereby is repealed, and that the said oaths or affirmations shall be in the following forms, that is to say: The marshals and secretaries' oath in the form following: "I, A. B. marshal of the district of _____ (or secretary of the territory of _____

as the case may be) do solemnly swear or affirm, that I will well and truly cause to be made a just and perfect enumeration and description of all persons resident within my district (or territory) and return the same to the Secretary of State, agreeably to the directions of the several acts of Congress, providing for the third census or enumeration of the inhabitants of the United States, according to the best of my ability;" and the assistants' oath or affirmation, in the form following: "I, A. B. do solemnly swear or affirm, that I will make a just and perfect enumeration and description of all persons resident within the division assigned to me for that purpose, by the marshal of _____ (or the secretary of the territory of _____ as the case may be,) and make due return thereof to the said marshal (or secretary,) agreeably to the directions of the several acts of Congress providing for the third census or enumeration of the inhabitants of the United States; according to the best of my ability."

SEC. 2. *And be it further enacted,* That it shall be the duty of the several marshals, secretaries, and their assistants aforesaid, at the time for taking the census or enumeration aforesaid, to take, under the direction of the Secretary of the Treasury, and according to such instructions as he shall give, an account of the several manufacturing establishments and manufactures within their several districts, territories and divisions. The said assistants shall make return of the same to the marshals or secretaries of their respective districts or territories, and the said marshals and secretaries shall transmit the said returns, and abstracts thereof, to the Secretary of the Treasury, at the same times at which they are by this act, and the several acts to which this act is an addition, required respectively to make their return of said enumeration to the Secretary of State; for the performance of which additional services they shall respectively receive such compensation as shall hereafter be provided by law.

APPROVED, May 1, 1810.

CHAP. XXXIX.—*An Act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, no British or French armed vessel shall be permitted to enter the harbors or waters under the jurisdiction of the United States; but every British and French armed vessel is hereby interdicted, except when they shall be forced in by distress, by the dangers of the sea, or when charged with despatches or business from their government, or coming as a public packet for the conveyance of letters; in which cases, as well as in all others, when they shall be permitted to enter, the com-

STATUTE II.

May 1, 1810.

[Expired.]

Act of March 26, 1810, ch. 17.
Oaths of the marshals, secretaries and assistants, under the census act.

1811, ch. 34.

Manufacturing establishments to be reported to the marshals and by them to the Secretary of the Treasury.

STATUTE II.

May 1, 1810.

[Obsolete.]

Act of March 1, 1809, ch. 24.
Act of May 30, 1809, ch. 1.
Act of June 28, 1809, ch. 9.
Act of March 2, 1811, ch. 29.
Act of Dec. 17, 1813, ch. 1.
Act of April 14, 1814, ch. 55.

British and French armed vessels not permitted to enter the waters of the U. States, except in certain cases.

Pacific intercourse with interdicted foreign vessels forbidden under penalties.

The whole forfeiture to accrue to the treasury if the prosecution shall be by a public officer.

Penalties and forfeitures under the non-intercourse and embargo, how to be recovered and disposed of. 1809, ch. 24.

Certain sections of the act to interdict the commercial intercourse, &c. to be revived as to the nation refusing to repeal or modify its orders in council, &c. &c.

1809, ch. 24.

manding officer shall immediately report his vessel to the collector of the district, stating the object or causes of his entering the harbors or waters of the United States; and shall take such position therein as shall be assigned him by such collector, and shall conform himself, his vessel and crew, to such regulations respecting health, repairs, supplies, stay, intercourse and departure, as shall be signified to him by the said collector, under the authority and directions of the President of the United States, and, not conforming thereto, shall be required to depart from the United States.

SEC. 2. *And be it further enacted*, That all pacific intercourse with any interdicted foreign armed vessels, the officers or crew thereof, is hereby forbidden, and if any person shall afford any aid to such armed vessel either in repairing her, or in furnishing her, her officers or crew with supplies of any kind or in any manner whatsoever, or if any pilot shall assist in navigating the said armed vessel, contrary to this prohibition, unless for the purpose of carrying her beyond the limits and jurisdiction of the United States, the person or persons so offending, shall be liable to be bound to their good behaviour, and shall moreover forfeit and pay a sum not exceeding two thousand dollars, to be recovered upon indictment or information, in any court of competent jurisdiction; one moiety thereof to the treasury of the United States, and the other moiety to the person who shall give information and prosecute the same to effect: *Provided*, that if the prosecution shall be by a public officer the whole forfeiture shall accrue to the treasury of the United States.

SEC. 3. *And be it further enacted*, That all the penalties and forfeitures which may have been incurred under the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes," and also all the penalties and forfeitures which may have been incurred under the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or under any of the several acts supplementary thereto, or to enforce the same, or under the acts to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes, shall be recovered and distributed, and may be remitted in the manner provided by the said acts respectively, and in like manner as if the said acts had continued in full force and effect.

SEC. 4. *And be it further enacted*, That in case either Great Britain or France shall, before the third day of March next, so revoke or modify her edicts as that they shall cease to violate the neutral commerce of the United States, which fact the President of the United States shall declare by proclamation, and if the other nation shall not within three months thereafter so revoke or modify her edicts in like manner, then the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eighteenth sections of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes," shall, from and after the expiration of three months from the date of the proclamation aforesaid, be revived and have full force and effect, so far as relates to the dominions, colonies and dependencies, and to the articles the growth, produce or manufacture of the dominions, colonies and dependencies of the nation thus refusing or neglecting to revoke or modify her edicts in the manner aforesaid. And the restrictions imposed by this act shall, from the date of such proclamation, cease and be discontinued in relation to the nation revoking or modifying her decrees in the manner aforesaid.

APPROVED, May 1, 1810.

CHAP. XL.—*An Act confirming the decisions of the Commissioners in favour of the claimants of land in the district of Kaskaskia.*

STATUTE II.

May 1, 1810.

Act of March 3, 1807, ch. 47, sec. 6.

Decisions of the commissioners confirmed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the decisions made by the commissioners appointed for the purpose of examining the claims of persons claiming lands in the district of Kaskaskia, in favour of such claimants, as entered in the transcript of decisions, bearing date the thirty-first day of December, eighteen hundred and nine, which have been transmitted by the said commissioners to the Secretary of the Treasury according to law, be, and the same are hereby confirmed.

APPROVED, May 1, 1810.

STATUTE II.

May 1, 1810.

[Obsolete.]

CHAP. XLI.—*An Act making further appropriations for completing the Capitol, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the appropriations heretofore made, the following sums of money be, and the same are hereby appropriated, to be applied under the direction of the President of the United States, to the purposes herein after mentioned, that is to say :

For sculpture, and warming and ventilating the chamber of the House of Representatives, seven thousand five hundred dollars.

For defraying the expense of completing the court-room, and the offices of the judiciary, on the east side, completing the Senate chamber and stopping the leaks in the roof of the north wing of the Capitol, twenty thousand dollars.

For repairs to the President's house and offices, five thousand dollars.

SEC. 2. *And be it further enacted,* That it be the duty of the superintendent of the city of Washington, prior to any farther advances of money being made, to call for all claims now due on account of materials furnished or work done in the public buildings, in order that the same may be liquidated and paid.

SEC. 3. *And be it further enacted,* That the several sums of money hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 1, 1810.

Specific appropriations.

STATUTE II.

May 1, 1810.

[Obsolete.]

CHAP. XLIII.—*An Act making appropriations for carrying into effect certain Indian treaties.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying into effect a treaty between the United States and the Delaware, Potawatamies, Miamies and Eel river tribes of Indians, concluded at Fort Wayne, on the thirtieth day of September, one thousand eight hundred and nine, the sum of one thousand seven hundred and fifty dollars is hereby appropriated, to be paid to the said tribes annually, as follows :

To the Delawares, five hundred dollars.

To the Miamies, five hundred dollars.

To the Eel river tribe, two hundred and fifty dollars.

To the Potawatamies, five hundred dollars.

Which several annuities shall be permanent.

SEC. 2. *And be it further enacted,* That for carrying into effect a separate article entered into between the United States and the Miamies and Eel river tribes of Indians, at Fort Wayne, on the thirtieth of Sep-

Specific appropriations.

Specific ap-
propriations.

tember, one thousand eight hundred and nine, the sum of five hundred dollars annually is hereby appropriated, for the term of three years, and no longer. And a further annuity of two hundred dollars to the Miamies tribe of Indians; and to the Wea and Eel river tribes a further annuity of one hundred dollars each, which shall be permanent.

SEC. 3. *And be it further enacted*, That for carrying into effect a treaty concluded at Fort Wayne, on the twenty-sixth day of October, one thousand eight hundred and nine, between the United States and the Wea tribe of Indians, the sum of one thousand five hundred dollars is hereby appropriated, and a further sum of three hundred dollars, annually, which annuity shall be permanent.

SEC. 4. *And be it further enacted*, That for carrying into effect a treaty concluded at Vincennes, on the ninth day of December, one thousand eight hundred and nine, between the United States and the Kickapoo tribe of Indians, the sum of five hundred dollars is hereby appropriated, to be paid annually to the said tribe, which annuity shall be permanent.

SEC. 5. *And be it further enacted*, That the several sums appropriated by this act, shall be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, May 1, 1810.

STATUTE II.

May 1, 1810.

CHAP. XLIV.—*An Act fixing the compensation of public Ministers, and of Consuls residing on the coast of Barbary, and for other purposes.*

Limitation of
salary to minis-
ters plenipoten-
tiary, &c. &c.

To a charge
des affaires.

Secretary of
legation.

Outfit to min-
ister plenipo-
tentiary or
charge des af-
faires.

Charge des
affaires, secre-
taries of lega-
tions, &c. &c.
to be appointed
by the Presi-
dent, with the
concurrence of
the Senate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States shall not allow to any minister plenipotentiary a greater sum than at the rate of nine thousand dollars per annum, as a compensation for all his personal services and expenses; nor to any charge des affaires, a greater sum than at the rate of four thousand five hundred dollars per annum, as a compensation for all his personal services and expenses; nor to the secretary of any legation or embassy to any foreign country, or secretary of any minister plenipotentiary, a greater sum than at the rate of two thousand dollars per annum, as a compensation for all his personal services and expenses; nor to any consul who shall be appointed to reside at Algiers, a greater sum than at the rate of four thousand dollars per annum, as a compensation for all his personal services and expenses; nor to any other consul who shall be appointed to reside at any other of the states on the coast of Barbary, a greater sum than at the rate of two thousand dollars per annum, as a compensation for all his personal services and expenses; nor shall there be appointed more than one consul for any one of the said states: *Provided*, it shall be lawful for the President of the United States to allow to a minister plenipotentiary or charge des affaires, on going from the United States to any foreign country, an outfit, which shall in no case exceed one year's full salary of such minister or charge des affaires; but no consul shall be allowed an outfit in any case whatever, any usage or custom to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That to entitle any charge des affaires, or secretary of any legation or embassy to any foreign country, or secretary of any minister plenipotentiary, to the compensation herein before provided, they shall respectively be appointed by the President of the United States, by and with the advice and consent of the Senate; but in the recess of the Senate, the President is hereby authorized to make such appointments, which shall be submitted to the Senate at the next session thereafter, for their advice and consent; and no compensation shall be allowed to any charge des affaires, or any of the secretaries

herein before described, who shall not be appointed as aforesaid: *Provided*, that nothing herein contained shall be construed to authorize any appointment of a secretary to any charge des affaires, or to any consul residing on the Barbary coast, or to sanction any claim against the United States for expense incident to the same, any usage or custom to the contrary notwithstanding.

SEC. 3. *And be it further enacted*, That where any sum or sums of money shall be drawn from the treasury, under any law making appropriation for the contingent expenses of intercourse between the United States and foreign nations, the President shall be, and he hereby is authorized to cause the same to be duly settled annually, with the accounting officers of the treasury, in the manner following, that is to say: By causing the same to be accounted for specially, in all instances wherein the expenditure thereof may in his judgment be made public, and by making a certificate of the amount of such expenditures as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum or sums therein expressed to have been expended.

SEC. 4. *And be it further enacted*, That it shall not be lawful for the consuls of the United States, residing on the Barbary coast, or either of them, to expend or to disburse or pay, or cause to be paid for any purpose or on any pretence whatever, not authorized by law, to any one of the Barbary powers, or to the officers or subjects thereof, a greater sum than three thousand dollars in any one year, with intent to charge the United States with the same, without first obtaining a special approbation in writing, from the President of the United States, for that purpose. And every such consul who shall, after notice of this act, expend or disburse, or pay, or cause to be paid for any purpose, or on any pretence whatever, not authorized by law, to any one of the Barbary powers, or to the officers or subjects thereof, a greater sum than three thousand dollars in any one year, or shall be aiding or assisting therein, without first obtaining the approbation of the President as aforesaid, shall forfeit and pay to the treasury of the United States a sum equal to one half his yearly compensation: and shall moreover stand charged with, and be accountable for all monies so disbursed or paid, contrary to the provisions of this act.

SEC. 5. *And be it further enacted*, That from and after the first day of November next, no consul of the United States, residing on the Barbary coast, shall own in whole or in part any ship or vessel, to be concerned directly or indirectly in the exportation from, or importation to any of the states on the coast of Barbary, of any goods, wares or merchandise, on penalty that every consul so offending, and being thereof convicted, shall for every offence forfeit a sum not exceeding one thousand dollars.

SEC. 6. *And be it further enacted*, That it shall be the duty of the consuls residing on the Barbary coast to transmit to the Secretary of the Treasury annually, an account of all monies received, and of all disbursements or expenditures made by them respectively, for or on account of the United States, and the particular purpose to which the monies have been applied, and the vouchers to support the same: and the Secretary of the Treasury shall transmit to Congress, within two months after the commencement of the first session thereof in every year, a statement of all the monies disbursed from the treasury of the United States, for expenses of intercourse with the Barbary powers during the preceding year, therein noting, as far as can be ascertained at the treasury, the sums received by the respective agents or consuls, and the purposes to which the same have been applied.

SEC. 7. *And be it further enacted*, That the act, entitled "An act in addition to the law of the United States concerning consuls and vice

No secretary to be appointed to a charge des affaires or consul resident on the coast of Barbary.

Annual settlements to be made of monies drawn from the treasury for foreign intercourse.

The President to give a certificate of the amount of expenditures from the contingent fund.

Limitations of sums to be paid to the states of Barbary.

Forfeitures by consuls for expenditures without authority.

No consul of the U. States residing in the Barbary states, to own, in whole or in part, a vessel, or be concerned in trade.

Consuls on the Barbary coast to make annual reports to Congress of disbursements and expenditures made on account of the U. States.

Secretary of the Treasury to transmit them to Congress.

Act of July 6, 1797, ch. 12.

Act of May
10, 1800, ch. 56.
Repealed.

consuls," approved July sixth, one thousand seven hundred and ninety-seven, and the act, entitled "An act to ascertain the compensation of public ministers," approved May the tenth, one thousand eight hundred, be, and the same are hereby repealed.

APPROVED, May 1, 1810.

STATUTE II.

May 1, 1810.

[Obsolete.]

Loan author-
ized.

CHAP. XLV.—*An Act authorizing a loan of money, for a sum not exceeding the amount of the principal of the public debt, reimbursable during the year one thousand eight hundred and ten.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby empowered to borrow, on the credit of the United States, a sum not exceeding the amount of the principal of the public debt, which will be reimbursed, according to law, during the present year, by the commissioners of the sinking fund, at a rate of interest, payable quarter yearly, not exceeding six per centum per annum, and reimbursable at the pleasure of the United States, or at such period as may be stipulated by contract, not exceeding six years from the first day of January next; to be applied, in addition to the monies now in the treasury, or which may be received therein from other sources during the present year, to defray any of the public expenses which are, or may be authorized by law. The stock thereby created, shall be transferable in the same manner as is provided by law for the transfer of the funded debt. It shall be lawful for the Bank of the United States to lend the said sum, or any part thereof; and it is further hereby declared, that it shall be deemed a good execution of the said power to borrow, for the Secretary of the Treasury, with the approbation of the President of the United States, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed, or for any part thereof, bearing an interest of six per cent. per annum, transferable and reimbursable as aforesaid; and to cause the said certificates of stock to be sold: *Provided*, that no such stock be sold under par.

Stock made
transferable.

Bank of the U.
States author-
ized to lend the
money.

1790, ch. 34.

Secretary of
the Treasury,
with the appro-
bation of the
President, au-
thorized to give
preference in
subscriptions to
the loan, to the
holders of ex-
changed six per
cent. stock.

Proviso.

Funds pledged
for the payment
of principal and
interest.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby authorized, with the approbation of the President of the United States, to give the preference, in the subscriptions which may be made to the loan authorized by this act, to the holders of the exchanged six per cent. stock, created by virtue of the second section of the act passed on the eleventh day of February, one thousand eight hundred and seven, for an amount not exceeding, for each such stockholder, the amount of the said exchanged six per cent. stock held by him at the time of subscribing as aforesaid: *Provided*, that the holders of the said stock, who may be desirous to subscribe to the said loan, shall notify the same in the manner and within the time to be designated by public notice, for that purpose, by the Secretary of the Treasury, with the approbation of the President of the United States: *And provided also*, that the sum which may be thus borrowed from the holders of the said exchanged six per cent. stock shall be reimbursable at the pleasure of the United States.

SEC. 3. *And be it further enacted,* That so much of the funds constituting the annual appropriation of eight millions of dollars for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, is hereby pledged and appropriated for the payment of the interest and for the reimbursement of the principal of the stock, which may be created by virtue of this act. It shall accordingly be the duty of the commissioners of the sinking fund, to cause to be applied and paid out of the said fund yearly, and every year, such sum and sums as may be annually wanted to discharge the

interest accruing on the said stock, and to reimburse the principal, as the same shall become due, and may be discharged in conformity with the terms of the loan; and they are further authorized to apply, from time to time, such sum or sums out of the said fund as they may think proper, towards redeeming by purchase, and at a price not above par, the principal of the said stock or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, or any of them, in manner aforesaid.

APPROVED, May 1, 1810.

STATUTE II.

May 1, 1810.

CHAP. XLVII.—*An Act to erect a Lighthouse at the entrance of Scituate harbor, a stone column on a spit of sand at the entrance into Boston harbor, and a beacon on Beach Point near Plymouth harbor in the state of Massachusetts; a light at the entrance of Bayou St. John into Lake Ponchartrain, and two lights on Lake Erie, and for beacons and buoys near the entrance of Beverly harbor.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on the cession of the jurisdiction of so much land on one of the points forming the entrance of Scituate harbor, in the state of Massachusetts, as the President of the United States shall deem sufficient and most proper for a lighthouse, it shall be the duty of the Secretary of the Treasury to provide by contract for building of a lighthouse of stone thereon, and placing it on the like establishment with other lighthouses. The number and disposition of the lights shall be such as may distinguish it from those of others.

Lighthouse to be built on the point forming the entrance of Scituate harbor.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury, to cause to be erected a column of stone, as a beacon on a spit of sand, extending from Lighthouse, or from the Great Brewster Island at the entrance of the harbor of Boston, in the state of Massachusetts, of such form and dimensions as he shall deem necessary. And also to cause good and sufficient buoys and beacons to be placed for the safety of navigation, at or near the entrance of the harbor of Beverly, in Massachusetts.

Beacon to be erected on a spit of sand extending from light-house.

Beacons near the entrance of the harbor of Beverly.

SEC. 3. *And be it further enacted,* That one of the two beacons directed to be erected on the Stony Muscle Bed, near Plymouth harbor, in the state of Massachusetts, by an act which passed the seventeenth of March, eighteen hundred and eight, be, and the same is hereby directed to be erected on Beach point, near the said harbor of Plymouth.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby authorized to cause to be erected and established, under proper regulations, such a light as he shall deem proper and necessary, at or near the entrance of Bayou St. John into Lake Ponchartrain, in the territory of Orleans; and such lights as he shall deem proper on or near Bird Island, and on or near Presq' isle in Lake Erie.

Light to be placed near the entrance of Bayou St. John and Bird Island.

SEC. 5. *And be it further enacted,* That there be appropriated out of any monies in the treasury of the United States, not otherwise appropriated, the following sums of money to accomplish the purposes of this act, to wit:

For the erection of a lighthouse, at the entrance of Scituate harbor, four thousand dollars.

Specific appropriations.

For the erection of a stone column on a spit of sand, extending from Lighthouse island at the entrance of Boston harbor, three thousand five hundred dollars.

And for the erection and establishment of a light at the entrance of Bayou St. John into Lake Ponchartrain, two thousand dollars.

And for the erection and establishment of two lights on Lake Erie, one thousand six hundred dollars.

And for beacons and buoys near the entrance of Beverly harbor, the sum of fifteen hundred dollars.

APPROVED, May 1, 1810.

STATUTE II.

May 1, 1810.

CHAP. L.—*An Act in addition to an act, entitled “An act concerning the Library for the use of both Houses of Congress.”*

Agent of the joint and library committee to have the use of the library.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the president of the Senate and speaker of the House of Representatives, for the time being, be, and they are hereby authorized to grant the use of the books in the library of Congress, to the agent of the joint committee of Congress appointed in relation to the library, on the same terms, conditions and restrictions as members of Congress are allowed to use said books, any thing contained in any former law to the contrary notwithstanding.

APPROVED, May 1, 1810.

Jan. 12, 1810.

Resolution in relation to the conduct of F. J. Jackson, minister plenipotentiary from Great Britain.

RESOLUTIONS.

I. RESOLVED *by the Senate and House of Representatives of the United States of America in Congress assembled,* That the expressions contained in the official letter of Francis J. Jackson, minister plenipotentiary of his Britannic majesty near the United States, dated the 23d day of October, 1809, and addressed to Mr. Smith, Secretary of State, conveying the idea that the executive government of the United States had a knowledge, that the arrangement lately made by Mr. Erskine, his predecessor, in behalf of his government, with the government of the United States, was entered into without competent powers on the part of Mr. Erskine for that purpose, were highly indecorous and insolent: That the repetition of the same intimation in his official letter dated the 4th of November, 1809, after he was apprised by the asseveration of the Secretary of State, that the executive government had no such knowledge, and that if it had possessed such knowledge, such arrangement would not have been entered into on the part of the United States; and after also being officially apprised, that such intimation was inadmissible, was still more insolent and affronting; and that in refusing to receive any further communications from him, in consequence of these outrageous and premeditated insults, the executive government has manifested a just regard to its own dignity and honour, as well as to the character and interest of the American people: That the letter, signed Francis J. Jackson, headed “Circular,” dated 13th November, 1809, and published and circulated through the country, is a still more direct and aggravated insult and affront to the American people and their government, as it is evidently an insidious attempt to excite their resentments and distrusts against their own government, by appealing to them, through false or fallacious disguises, against some of its acts; and to excite resentments and divisions amongst the people, themselves, which can only be dishonourable to their own characters and ruinous to their own interests: And the Congress of the United States do hereby solemnly pledge themselves to the American people, and to the world, to stand by and support the executive government in its refusal to receive any further communications from the said Francis J. Jackson, and to call into action the whole force of the nation, if it should become necessary, in consequence of the conduct of the executive government in this respect, to repel such insults, and to assert and maintain the rights, the honour and the interests of the United States.

APPROVED, January 12, 1810.

II. RESOLUTION *proposing an amendment to the Constitution of the United States.*

RESOLVED *by the Senate and House of Representatives of the United States of America in Congress assembled*, two thirds of both houses concurring, That the following section be submitted to the legislatures of the several states, which, when ratified by the legislatures of three fourths of the states, shall be valid and binding, as a part of the constitution of the United States.

If any citizen of the United States shall accept, claim, receive or retain any title of nobility or honour, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever, from any emperor, king, prince or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

Proposed amendment to the constitution of the U. States.

Any citizen of the U. S. who shall receive or retain any title or emolument from any foreign prince shall cease to be a citizen of the U. S. and be incapable of holding any office.

ACTS OF THE ELEVENTH CONGRESS

OF THE

UNITED STATES,

Passed at the third session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the third day of December, 1810, and ended on the third day of March, 1811.

JAMES MADISON, President; GEORGE CLINTON, Vice President of the United States, and President of the Senate; JOHN POPE, President of the Senate pro tempore, from the 26th of February, 1811; J. B. VARNUM, Speaker of the House of Representatives.

STATUTE III.

Dec. 17, 1810.

CHAPTER I.—*An Act to authorize the transportation of certain documents free of postage.*

[Obsolete.]

The message of President and the documents accompanying the same to be transmitted free of postage.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the members of Congress, the secretary of the Senate and clerk of the House of Representatives, be, and they are hereby respectively authorized to transmit, free of postage, the message of the President of the United States of the fifth of December, one thousand eight hundred and ten, and the documents accompanying the same, printed by order of the Senate and by order of the House of Representatives, to any post-office within the United States and territories thereof, to which they may direct, any law to the contrary notwithstanding.

APPROVED, December 17, 1810.

STATUTE III.

Jan. 7, 1811.

CHAP. II.—*An Act making an additional appropriation to supply a deficiency in the appropriation for the relief and protection of distressed American Seamen, during the year one thousand eight hundred and ten.*

[Obsolete.]

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for supplying the deficiency in the appropriation for the relief and protection of distressed American seamen in foreign countries, during the year one thousand eight hundred and ten, the further sum of seventy-six thousand dollars, to be paid out of any monies in the treasury not otherwise appropriated, be and the same hereby is appropriated.

APPROVED, January 7, 1811.

STATUTE III.

Jan. 7, 1811.

CHAP. III.—*An Act to continue in force for a further time the first section of the act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers."*

[Expired.]

Act of March 26, 1804, ch. 46.
Act of Feb. 27, 1813, ch. 40.
Mediterranean fund continued

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act passed on the twenty-fifth [twenty-sixth] day of March, one thousand eight hundred and four, entitled "An act further to protect the com-

merce and seamen of the United States against the Barbary powers," as is contained in the first section of the said act, and which was revived and continued in force for the time therein mentioned, by an act, entitled "An act to revive and continue in force for a further time the first section of the act, entitled An act further to protect the commerce and seamen of the United States against the Barbary powers," passed on the twelfth day of January, one thousand eight hundred and ten, be, and the same is hereby continued in force until the fourth day of March, one thousand eight hundred and twelve: *Provided however*, That the additional duty laid by the said section, shall be collected on all such goods, wares and merchandise liable to pay the same, as shall have been imported previous to that day.

APPROVED January 7, 1811.

till 4th March, 1812.

Act of March 26, 1804, ch. 46.

1810, ch. 5.

Act of Jan. 31, 1812, ch. 15.

The additional duty laid by the 3d section shall be collected on all goods imported previous to March 4, 1812.

STATUTE III.

Jan. 17, 1811.

CHAP. IV.—*An Act to fix the compensation of the additional assistant Postmaster-General.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the additional assistant Postmaster-General, authorized by the act "regulating the post-office establishment," shall receive an annual salary of sixteen hundred dollars, payable quarter-yearly at the treasury of the United States, to be computed from the time at which he may have entered upon the execution of the duties of his office.

APPROVED, January 17, 1811.

An additional assistant Postmaster-General to be appointed with a salary of sixteen hundred dollars.

1810, ch. 37.

STATUTE III.

Jan. 22, 1811.

CHAP. VII.—*An Act to authorize the Secretary at War to ascertain and settle by the appointment of Commissioners, the exterior line of the Public Land at West Point, with the adjoining proprietor.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary at War shall be, and he is hereby authorized to settle the exterior line of the public land at West Point, in the state of New York, now in dispute with Thomas North, the adjoining proprietor; and for that purpose to appoint three commissioners to ascertain the same, whose determination, or a majority of them, the same being first approved by the Congress of the United States, shall be final and conclusive in the premises. And any such commissioner shall be entitled to receive at, and after the rate of four dollars per diem, for the time necessarily employed in executing said commission or appointment.

SEC. 2. *And be it further enacted*, That it shall and may be lawful for the commissioners who may be appointed under this act, or either of them, to issue process, in nature of a writ of subpœna, for any witness that may be required on a hearing in the premises; and any person duly served with such process shall be bound to appear and testify under the like penalty, and be liable to be proceeded against in the like manner, as is provided by law, in relation to any witness whose attendance is required in any court of the United States, to give testimony in any matter depending therein.

APPROVED, January 22, 1811.

[Obsolete.]

Secretary of War authorized to settle exterior line of the public land at West Point.

Commissioners may be appointed for that purpose.

Their award to be approved by Congress.

Commissioners entitled to compulsory process.

STATUTE III.

Feb. 6, 1811.

CHAP. IX.—*An Act making appropriations for the support of the Military establishment of the United States, for the year one thousand eight hundred and eleven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for defraying the expenses

[Obsolete.]

of the military establishment of the United States for the year one thousand eight hundred and eleven, for the Indian department, and for the expense of fortifications, magazines, arsenals and armories, the following sums be, and the same hereby are respectively appropriated, that is to say:

Specific ap-
propriations.

For the pay of the army of the United States, eight hundred and sixty-nine thousand nine hundred and sixty-eight dollars.

For forage, thirteen thousand seven hundred and fifty-six dollars.

For subsistence, six hundred and eighty-five thousand five hundred and thirty-two dollars and five cents.

For clothing, two hundred and ninety-three thousand eight hundred and four dollars.

For bounties and premiums, thirty thousand dollars.

For the medical and hospital department, fifty thousand dollars.

For camp equipage, fuel, tools and transportation, two hundred and seventy thousand dollars.

For ordnance, one hundred thousand dollars.

For fortifications, arsenals, magazines and armories, including two thousand dollars for such a number of additional military storekeepers as may be required, two hundred and seventy-six thousand forty-nine dollars and seventy-six cents.

For purchasing maps, plans, books and instruments, two thousand five hundred dollars.

For contingencies, fifty thousand dollars.

For the salary of clerks employed in the military agents' offices, and in the office of the inspector of the army, three thousand five hundred dollars.

For the Indian department, one hundred and forty-six thousand five hundred dollars.

SEC. 2. *And be it further enacted*, That the several sums specifically appropriated by this act, shall be paid out of any monies in the treasury not otherwise appropriated.

APPROVED, February 6, 1811.

STATUTE III.

Feb. 7, 1811.

[Obsolete.]

CHAP. XI.—*An Act making appropriations for the support of the Navy of the United States for the year one thousand eight hundred and eleven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for defraying the expenses of the navy of the United States for the year one thousand eight hundred and eleven, the following sums be, and the same are hereby respectively appropriated, that is to say:

Specific ap-
propriations.

For the pay and subsistence of the officers, and pay of the seamen, seven hundred and seventy-four thousand three hundred and ninety dollars.

For provisions, three hundred and eighty-five thousand, three hundred and thirty dollars.

For medicines, instruments and hospital stores, thirty thousand dollars.

For repairs of vessels, two hundred and fifty thousand dollars.

For freight, store rent, and all other contingencies, one hundred thousand dollars.

For pay and subsistence of the marine corps, including provisions for those on shore and forage for the staff, one hundred and thirty-eight thousand two hundred and fifty-six dollars and ninety cents.

For clothing for the same, thirty-seven thousand nine hundred dollars and ninety cents.

For military stores for the same, one thousand three hundred and ninety-six dollars and twenty-five cents.

For medicines, medical services, hospital stores, and all other expenses on account of the sick belonging to the marine corps, three thousand dollars. Specific appropriations.

For quartermasters and barrack-masters' stores, officers' travelling expenses, armorers and carpenters' bills, fuel, premiums for enlisting men, musical instruments, bounty to music, and other contingent expenses of the marine corps, fifteen thousand dollars.

For the expenses of navy-yards, comprising docks and other improvements, pay of superintendents, storekeepers, clerks and labourers, seventy-five thousand dollars.

For ordnance and small arms, sixty thousand dollars.

SEC. 2. *And be it further enacted*, That the several sums, specifically appropriated by this act, shall be paid out of any monies in the treasury, not otherwise appropriated.

APPROVED, February 7, 1811.

STATUTE III.

CHAP. XII.—*An Act making compensation to John Eugene Leitensdorfer for services rendered the United States in the war with Tripoli.*

Feb. 13, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby directed to issue a land warrant to John Eugene Leitensdorfer for three hundred and twenty acres; which said warrant may, at the option of the holder or possessor, be located with any register or registers of the land-offices on any of the public lands of the United States, lying on the west side of the Mississippi, then and there offered for sale, or may be received at the rate of two dollars per acre in payment of any such public lands.

A land warrant to be granted to Leitensdorfer.

SEC. 2. *And be it further enacted*, That the proper accounting officers of the treasury be, and they are hereby directed to settle the account of John Eugene Leitensdorfer, and to allow him the pay of a captain, from the fifteenth day of December, one thousand eight hundred and four, to the fifteenth day of July, one thousand eight hundred and five, being the time he served as adjutant and inspector of the forces of the United States, in Egypt and on the coast of Africa.

His account to be settled by the officers of the treasury.

APPROVED, February 13, 1811.

STATUTE III.

CHAP. XIV.—*An Act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana.*(a)

Feb. 15, 1811.

[Repealed.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following allowances and compensations shall be made to the several officers appointed for the purpose of ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana; which allowances and compensations shall be in full for all their services, including those rendered since their salaries respectively ceased, that is to say: To each of the commissioners, and to each of the clerks of the boards, fifty cents for each claim, duly filed according to law, which remained undecided on the first day of July, one thousand eight hundred and nine, and on which a decision has been made subsequent to that day, or shall hereafter be made, whether such decision be in favour or against the claim: which allowance of fifty cents shall be paid at the treasury of the United States, from time to time, and on receipt of the transcripts of the decisions and of the reports of claims not finally confirmed, as the same may be trans-

Compensations to officers appointed to ascertain the rights of persons claiming lands in the territories of Orleans and Louisiana.

1811, ch. 46, sec. 14.

(a) See notes to the act of March 2, 1805, chap. 26, vol. ii. 324, for a reference to the acts which have been passed relative to lands and land titles in Louisiana.

Compensations
of commission-
ers, &c. &c.

No allowance
to the person
appointed by the
Secretary of the
Treasury after
the time the
agent ceased to
act.

Two principal
deputy survey-
ors of the Or-
leans territory
may alter the
mode of survey-
ing certain
lands.

Proviso.

Land offices
established at
New Orleans,
and Opelousas,
for disposing of
the public
lands.

1803, ch. 27.

Powers vest-
ed in the Presi-
dent extended
to him as to the
eastern district.
Act of April
21, 1806, ch. 39.

mitted by the boards respectively to the Secretary of the Treasury according to law. To each of the said commissioners and clerks a further allowance of five hundred dollars, to be paid after the completion of the business of each of the boards respectively, to the officers then in office. And to each of the translators, at the rate of six hundred dollars a year, and not to exceed in the whole for each the term of eighteen months: *Provided always*, that the above mentioned allowance of fifty cents for each claim decided upon, shall not be made to any of the commissioners who may be absent at the time of such decision; the attendance of each to be certified by the clerk, or by a majority of the board: *And provided also*, that no allowance shall be made to any agent heretofore employed by the Secretary of the Treasury, for any period of time subsequent to the time when such agent ceased to act, or when the board ceased to receive evidence.

SEC. 2. *And be it further enacted*, That the two principal deputy surveyors of the territory of Orleans shall, and they are hereby authorized, in surveying and dividing such of the public lands in the said territory, which are or may be authorized to be surveyed and divided, as are adjacent to any river, lake, creek, bayou or water course, to vary the mode heretofore prescribed by law, so far as relates to the contents of the tracts, and — to the angles and boundary lines — and to lay out the same into tracts as far as practicable, of fifty-eight poles in front and four hundred and sixty-five poles in depth, of such shape, and bounded by such lines as the nature of the country will render practicable, and most convenient: *Provided however*, that such deviations from the ordinary mode of surveying shall be made with the approbation of, and in conformity with the general instructions which may be given to that effect by the surveyor of the public lands south of the state of Tennessee.

SEC. 3. *And be it further enacted*, That for the disposal of the lands of the United States, lying in the eastern land district of the territory of Orleans, a land-office shall be established at New Orleans; and that for the disposal of the lands of the United States, lying south of Red river, in the western land district of the territory of Orleans, a land-office shall be established at Opelousas; and that for the disposal of the lands of the United States, lying north of Red river, in the western land district of the territory of Orleans, a land-office shall be established, which shall be kept at such place as the President of the United States may direct. The register of the western land district of the territory of Orleans shall act as register of the land-office of Opelousas, and as one of the commissioners for ascertaining the rights of persons claiming lands in any part of the said western land district. And for the land-office, north of the Red river, a register, and for each of the said three offices, a receiver of public monies shall be appointed, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law, in relation to the registers and receivers of public monies in the several offices established for the disposal of the lands of the United States, in the territory of Mississippi.

SEC. 4. *And be it further enacted*, That the powers vested in the President of the United States by the eleventh section of the act, entitled "An act supplementary to an act, entitled An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana," passed on the twenty-first day of April, one thousand eight hundred and six, in relation to the public lands lying in the western district of the territory of Orleans, and all the other provisions made by the same section, for the sale of said lands, and for obtaining patents for the same, shall be, and the same are hereby in

every respect, extended to the public lands, lying in the eastern district of the territory of Orleans.

SEC. 5. *And be it further enacted*, That every person who, either by virtue of a French or Spanish grant recognized by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans, owns a tract of land bordering on any river, creek, bayou or water course, in the said territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land, that which is contained in his own tract, at the same price, and on the same terms and conditions, as are, or may be provided by law for the other public lands in the said territory. And the principal deputy surveyor of each district respectively, shall be and he is hereby authorized, under the superintendence of the surveyor of the public lands south of the state of Tennessee, to cause to be surveyed, the tracts claimed by virtue of this section; and in all cases where by reason of bends in the river, lake, creek, bayou or water course bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him to divide the vacant land applicable to that object between the several claimants, in such manner as to him will appear most equitable: *Provided however*, that the right of pre-emption, granted by this section, shall not extend so far in depth, as to include lands fit for cultivation, bordering on another river, creek, bayou or water course. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver to the register of the proper land-office, a notice in writing, stating the situation and extent of the tract of land he wishes to purchase, and shall also make the payment and payments for the same, at the time and times, which are, or may be prescribed by law, for the disposal of the other public lands in the said territory: the time of his delivering the notice aforesaid, being considered as the date of the purchase. And if any such person shall fail to deliver such notice within the said period of three years, or to make such payment or payments at the time above mentioned, his right of pre-emption shall cease and become void; and the land may thereafter be purchased by any other person in the same manner, and on the same terms, as are or may be provided by law for the sale of other public lands in the said territory.

Terms on which persons owning contiguous lands may obtain those belonging to the public.

Limitation of grants.

SEC. 6. *And be it further enacted*, That the land-offices, established by virtue of the fourth section of this act, shall be opened on the first day of January, one thousand eight hundred and twelve, for the sale of all the public lands, with the exception of section "No. sixteen" of the salt springs, and land contiguous thereto, and of the tracts reserved for the support of seminaries of learning as herein after provided, which shall have been previously surveyed and the surveys thereof returned according to law to the registers of the land-offices respectively; and on the first day of February, one thousand eight hundred and twelve, for the sale of such of the public lands, which, from the nature of the country, cannot be surveyed in the ordinary way, and are embraced by the provisions of the third section of this act, as shall have, at least six weeks previous to the said first day of February, one thousand eight hundred and twelve, been advertised for sale by the surveyor of the public lands south of the state of Tennessee, with the approbation of the President of the United States. The public sales for the lands, subdivided into quarter sections in the ordinary way, shall be held for one calendar month, under the superintendence of the register and receiver of each land-office respectively, and of either of the surveyors of public

Periods of opening the land offices, &c. &c.

lands south of Tennessee, or of his principal deputy surveyor in the district, who shall each receive six dollars for each day's attendance on the same; and no tract of land shall be sold at said public sales, for a less price than that which is or may be prescribed by law, for the sale of public lands in the Mississippi territory. And from and after the first first day of February, one thousand eight hundred and twelve, any tract which has been thus offered for sale at public sale, and remains unsold, as well as any tract of land embraced by the provisions of the third section of this act, the sale of which is authorized by this section, may be disposed of at private sale by the register of the land-office, for the same price which is or may be prescribed by law, for the sale of public lands in the Mississippi territory. All the lands, sold (by) virtue of this section, shall in every other respect be sold on the same terms of payment and conditions, in the same manner, and under the same regulations as are or may be prescribed by law, for the sale of public lands in the Mississippi territory: *Provided however*, that in case of an application being made at the same time, for the purchase at private sale of the same tract of land by two or more persons, one of whom did actually inhabit and cultivate such tract of land at the time of passing this act, and still continues to inhabit and cultivate the same at the time of such application; the preference shall be given to the person thus inhabiting and cultivating such tract of land: *And provided also*, that till after the final decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time, and according to law, presented to the register of the land-office, and filed in his office, for the purpose of being investigated by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans; or which shall have been located by or for Major General La Fayette, according to law.

Preference to inhabitants and cultivators.

Proviso.

1803, ch. 27.

Additional reservation in the western district.

Lands in the territory of Louisiana to be surveyed, &c.

1800, ch. 55.

A land-office to be opened, at such place as the President may designate for disposing of public lands in Louisiana, &c.

1800, ch. 55.

Lands may be offered for sale, &c. &c.

SEC. 7. *And be it further enacted*, That in addition to the township already reserved for that purpose by law, in the western district of the territory of Orleans, and which shall be located south of Red river, another entire township shall be located by the Secretary of the Treasury north of Red river, for the use of a seminary of learning, and also an entire township in the territory of Louisiana, for the support of a seminary of learning within the said territory.

SEC. 8. *And be it further enacted*, That the surveyor-general shall cause such of the public lands in the territory of Louisiana as the President of the United States shall direct, to be surveyed and divided in the same manner and under the same regulations and limitation as to expenses, as is provided by law in relation to the lands of the United States, northwest of the river Ohio, and above the mouth of Kentucky river.

SEC. 9. *And be it further enacted*, That for the disposal of the lands of the United States, lying in the territory of Louisiana, a land-office shall be established, which shall be kept at such place as the President of the United States may direct; and a register and receiver of public monies shall be appointed for said office, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their office, as are or may be provided for by law, in relation to the register and receiver of public monies in the several offices established for the disposal of the lands of the United States, northwest of the river Ohio and above the mouth of Kentucky river.

SEC. 10. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, whenever he shall think proper, to direct so much of the public lands lying in the territory of Louisiana, as shall have been surveyed in conformity with the ninth section of this

act, to be offered for sale. All such lands shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools within the same, with exception also of a tract reserved for the support of a seminary of learning, as provided for by the eighth section of this act, and with the exception also of the salt springs, and lead mines, and lands contiguous thereto, which, by the direction of the President of the United States, may be reserved for the future disposal of the said States, shall be offered for sale to the highest bidder, under the direction of the register of the land-office, and the receiver of public monies, and of the principal deputy surveyor, and on such day or days as shall, by public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open for three weeks, and no longer. The lands shall be sold for a price not less than that which has been or may be fixed by law for the public lands, northwest of the river Ohio, and above the mouth of Kentucky river. And shall in every other respect be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided for the lands sold in the state of Ohio. The superintendents of the said public sales shall each receive six dollars for each day's attendance on the said sales. All the lands which have been thus offered for sale, at public sale, remaining unsold at the closing of the public sales, may be disposed of at private sale by the register of the land-office, for the same price which is or may be prescribed by law for the sale of public lands in the state of Ohio: *Provided however*, that till after the decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time and according to law presented to the recorder of land titles in the district of Louisiana, and filed in his office, for the purpose of being investigated by the commissioners appointed for ascertaining the rights of persons claiming lands in the territory of Louisiana. And patents shall be obtained for all lands sold in the territory of Louisiana, in the same manner and on the same terms as is or may be provided, by law, for land sold in the state of Ohio.

Sale of the public lands.

No land to be offered for sale the claim to which has been presented until after the decision of Congress.

SEC. 11. *And be it further enacted*, That the claim of the corporation of the city of New Orleans, to the common adjacent thereto, and within six hundred yards from the fortifications of the same, as confirmed by the act, entitled "An act respecting claims to lands in the territories of Orleans and Louisiana," shall be deemed valid, although the relinquishment of the said corporation to any claim beyond the said distance of six hundred yards, was not made till after the expiration of the period of six months prescribed by the act last mentioned.

Claim of the corporation of New Orleans to adjacent common to be valid,

1807, ch. 36.

SEC. 12. *And be it further enacted*, That all the navigable rivers and waters in the territories of Orleans and Louisiana, shall be, and for ever remain public highways.

Navigable rivers, &c. to remain public highways.

SEC. 13. *And be it further enacted*, That a sum not exceeding forty thousand dollars be, and the same is hereby appropriated, for the purpose of carrying this act into effect, which sum shall be paid out of unappropriated monies in the treasury.

Specific appropriation.

APPROVED, February 15, 1811.

STATUTE III.

Feb. 15, 1811.

CHAP. XV.—*An Act concerning the Bank of Alexandria.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the corporation heretofore created by the name and style of the President, Directors and

(a) Suits brought by the bank of Alexandria upon promissory notes, made negotiable at that bank, are entitled to trial at the return time of the writ. *Young v. The Bank of Alexandria*, 4 Cranch, 384; 2 Cond. Rep. 150.

The bank of Alexandria may, under the charter of the bank, maintain an action against the indorser

Corporation
of Alexandria
bank continued.

Powers of the
corporation.

Limitation of
the amount of
real estate held
by the bank.

The bank not
to purchase any
goods, &c. un-
less sold on
judgments ob-
tained by the
bank, &c.

Capital stock.

Votes, how
apportioned.

Company of the Bank of Alexandria, by an act of the legislature of the commonwealth of Virginia, passed in the year seventeen hundred and ninety-two, entitled "An act for establishing a bank in the town of Alexandria;" the capital stock of which said bank hath been increased to five hundred thousand dollars; and which said corporation was, by an act of the said commonwealth, passed in the year eighteen hundred and one, continued until the fourth day of March, eighteen hundred and eleven, be, and the said corporation shall, by the name and style aforesaid, be further continued from the fourth day of March next, until the fourth day of March, eighteen hundred and twenty-one, subject to the regulations prescribed by and made in the manner provided by this act.

SEC. 2. *And be it further enacted*, That the said corporation shall, by the name and style of the President, Directors and Company of the Bank of Alexandria, be capable in law to hold, have and purchase, receive, possess, enjoy and retain to them and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects, of what kind, nature or quality soever; and the same to grant, demise, alien or dispose of; and, by the name aforesaid, may sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in any court of record, within the United States; and may do and execute every other matter and thing by the name aforesaid, that they are authorized to do by virtue of this act: *Provided always*, that the lands, tenements and hereditaments, which it shall be lawful for the President, Directors and Company to hold, shall be only such as shall be requisite for their immediate accommodation, in relation to the convenient transacting their business, and such as shall have been *bona fide* mortgaged to them by way of security, or conveyed to them in satisfaction for debts previously contracted in the course of their dealings: *Provided also*, that the president and directors shall not purchase any goods, chattels or effects, unless such as are sold by virtue of an execution, upon judgments obtained by them, except such articles as may be necessary for them in transacting the business of the bank; but it shall be lawful for them to receive and hold such securities, goods, chattels and effects, by way of deposit for advances made by them to any person or persons, and, on failure of payment, the same to sell and dispose of at public sale.

SEC. 3. *And be it further enacted*, That the capital stock of the said bank shall consist of five hundred thousand dollars, in shares of two hundred dollars each.

SEC. 4. *And be it further enacted*, That every stockholder shall be entitled to vote by himself, his agent or proxy, appointed under his hand and seal, at all elections, in virtue of this act; and shall have as many votes as he has shares, as far as ten shares, and not more than one vote for every five shares thereafter; and every stockholder may sell and transfer his stock in the bank, or any part thereof, at his pleasure, not being less than one complete share or shares; the transfer to be made in the bank books, in the presence, and with the approbation of the proprietor or his lawful attorney, and the purchaser then to be entitled to all the rights which the original proprietor enjoyed.

SEC. 5. *And be it further enacted*, That a meeting of the stockholders,

of a promissory note, made negotiable at that bank, without first suing the maker, or proving him insolvent, according to the law of Virginia; although the endorsement was for the accommodation of the maker: and notwithstanding that in Virginia the implied contract of the endorser of a promissory note, by the general understanding of the country, is that he will pay the debt, if by due diligence it cannot be obtained from the maker. *Ibid.*

If the case shows that the bank received the note under an understanding that it was subject to the rules which govern inland bills of exchange, then it would seem reasonable, in the case of notes actually negotiated with them, to imply, from the act of endorsement, an undertaking conformable to that usage. *Ibid.*

A subsequent board of directors of the bank, is to be considered as knowing all the circumstances communicated or known to the previous board. *The Mechanics' Bank of Alexandria v. Louisa and Maria Seton*, 1 Peters, 309.

at the town of Alexandria, shall be held annually, on the third Monday of January, in every year, during the continuance of this act; previous notice whereof shall be published in some newspaper, printed in Alexandria, Richmond, Winchester, or the city of Washington, for the space of four weeks successively; and the stockholders, assembled in consequence of such notice, shall choose by ballot, from among themselves, by a majority of votes of such as shall be present, or by proxy, nine directors, being citizens of the United States, for the term of one year thereafter; and on the same day annually, for and during the continuance of this act, a like election shall be made; and in case of refusal, death, resignation, disqualification or removal out of the district of Columbia, of any director, the remaining directors, at their next meeting thereafter, shall elect by ballot another person, qualified as aforesaid, in his place, for the residue of the year. The directors or any seven of them, shall, at their first meeting after every general election, elect by a majority of members present, by ballot, from among the stockholders, a president, who shall, whether a director or not, be thereupon entitled to all the powers and privileges of one; and if he was before a director, another director shall be elected as aforesaid, so as to keep up the number of directors, prescribed by this act, exclusive of the president; and in case of refusal, death, resignation or removal out of the district aforesaid, of the president, the directors shall meet as soon as conveniently can be thereafter, and elect another person for president, in manner before directed.

Elections,
when to be
held.

Proceedings
of the directors.

SEC. 6. *And be it further enacted*, That there be a meeting of the directors quarterly, for the purpose of regulating the affairs of the bank, any five of whom shall make a board; and that the board have power to adjourn from time to time; and the president, or any three of the directors, may call a special meeting at any other time they may think necessary.

Quarterly and
other meetings
of the directors.

SEC. 7. *And be it further enacted*, That the board of directors shall determine the manner of doing business, and the rules and forms to be pursued; appoint and pay the various officers which they may find necessary; and dispose of the money and credit of the bank, at a rate not exceeding six per centum per annum; and make half yearly dividends of the profits, or of such part thereof, as they may think prudent.

Powers of the
directors.

SEC. 8. *And be it further enacted*, That in the appointment of cashier of the said bank, a majority of the votes of seven directors shall be necessary to a choice.

Number of
votes necessary
to the ap-
pointment of a
cashier.

SEC. 9. *And be it further enacted*, That the board shall, at every quarterly meeting, choose three directors, to inspect the business of the bank, for the ensuing three months; and the inspectors so chosen, or any two of them, shall, on the evening of every Saturday, examine into the state of the cash account, and all the notes received and issued; and see that those accounts are regularly balanced and transferred.

A committee
of three direc-
tors to be ap-
pointed at quar-
terly meetings
to examine the
cash accounts.

SEC. 10. *And be it further enacted*, That any director, officer or other person, holding any share or capital of the said stock, who shall commit any fraud or embezzlement, touching the money or property of the said bank, shall be liable to be prosecuted in the name of the United States, by indictment for the same, in any court of law, in the district wherein the offence shall be committed; and, upon conviction thereof, shall, besides the remedy that may be had by action, in the name of the President, Directors and Company of the Bank of Alexandria, for the fraud aforesaid, forfeit all his share and stock in the said bank to the company.

Any director,
officer or other
person commit-
ting frauds in
the bank may be
prosecuted.

SEC. 11. *And be it further enacted*, That it shall not be lawful for the bank hereby incorporated to loan by discount or otherwise more than twice the amount of its capital stock actually paid in.

Amount au-
thorized to be
loaned

SEC. 12. *And be it further enacted*, That no stockholder or member

Stockholders only to be answerable for the amount of their stock.

Exception.

Directors absent when the resolution or act by which the debts of the bank was created, how to exonerate themselves.

No note for a smaller sum than five dollars to be issued.

Reports to be made to Secretary of the Treasury.

Directors, &c. entitled to no emolument but by a vote of the stockholders.

Residents of the district of Columbia only eligible as president or director.

Treasurer or cashier to give bond, &c. &c.

Accidental omission to make an election, provided for.

Process served upon the President sufficient.

of the said company shall be answerable for any loss, deficiencies or failure of the capital stock of said bank, for any more or larger sum or sums of money whatsoever, than the amount of the stock, stocks or shares, which shall appear by the books of the said company to belong to him at the time or times when such loss or losses shall be sustained, except as is hereafter excepted, that is to say: if the total amount of debts, which the said company shall at any time owe, whether by bond, bill, note or other contract, shall exceed double the amount of capital stock of the said bank actually paid in, over and above the monies actually deposited in the bank for safe keeping, then in case of such excess, the directors under whose administration it shall happen, shall be liable for such excess, in their natural and private capacities; and an action or actions of debt may be brought against them, or any of them, their heirs, executors or administrators, in any court of record within the United States by any creditor or creditors of the said company, and may be prosecuted to judgment and execution, any condition, covenant or agreement to the contrary notwithstanding; but this shall not be construed to exempt the said body politic or the lands, tenements, goods and chattels of the same, from being liable for, and chargeable with the said excess. Such of the directors who may have been absent when the said excess was contracted or created, or who may have dissented from the resolution or act, whereby the same was so contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact, and of his absence or dissent, to the mayor of the town of Alexandria, for the time being, and to the stockholders, at a general meeting which he or they shall have power to call for that purpose. And in case the directors, by whose act such excess shall be occasioned, shall not have property sufficient to pay the amount of such excess, then each and every stockholder shall be liable in their private capacities for the deficiency, in proportion to their respective shares in the said bank.

SEC. 13. *And be it further enacted*, That the president and directors shall not issue any note for a smaller sum than five dollars; and the president and directors shall, once in every year, lay before the Secretary of the Treasury an account, truly stating the situation of the bank, and its funds, if required.

SEC. 14. *And be it further enacted*, That no director shall be entitled to any emolument, unless the same shall have been allowed by a majority of the stockholders at a general meeting. The directors shall make such compensation to the president, for his extraordinary services and attendance at the bank as shall appear to them reasonable.

SEC. 15. *And be it further enacted*, That none but a stockholder, being a resident of the district of Columbia, shall be eligible as a president or director.

SEC. 16. *And be it further enacted*, That every cashier or treasurer, before he enters upon the duties of his office, shall give bond with two or more securities to the satisfaction of the directors, for his good behaviour in office.

SEC. 17. *And be it further enacted*, That in case it shall at any time happen, that an election of directors shall not be made on any day when, pursuant to this act, it ought to be made, it shall and may be lawful on any other day to hold and make an election of directors, in such manner as shall have been regulated by the laws and ordinances of the said president and directors.

SEC. 18. *And be it further enacted*, That process of law, served on the president for the time being, shall be deemed sufficient service, and shall avail in like manner, as if it had been served on all the directors, to the intent and purpose of making the said corporate company responsible.

SEC. 19. *And be it further enacted*, That whenever any note shall be given, containing express consent in writing, that it may be negotiable at the said bank, and the same shall be endorsed, if payment be refused or neglected to be made, at the time it shall have become due, the like proceedings are to be had out of court, and suit may be prosecuted against the drawer and endorser, jointly or separately, in like manner as if the same was a bill of exchange.

SEC. 20. *And be it further enacted*, That the said bank shall continue to transact its business of discount and deposit in the county of Alexandria, in the district of Columbia.

APPROVED, February 15, 1811.

Notes made negotiable at bank to be considered as bills of exchange.

Bank to be continued in Alexandria.

STATUTE III.

Feb. 15, 1811.

CHAP. XVI.—*An Act to incorporate the Bank of Washington.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the fourth day of March, which will be in the year of our Lord one thousand eight hundred and eleven, all those persons, their legal representatives or assigns, who, on the first Monday of September, in the year of our Lord one thousand eight hundred and nine, at the city of Washington, subscribed certain articles of association, and formed a company or limited partnership, under the name and style of "The President and Directors of the Bank of Washington," and who, on the said fourth day of March, in the year eighteen hundred and eleven, shall hold any share of the joint stock or funds, created in pursuance of the said articles of association, and their successors, being stockholders as aforesaid, shall be and they are hereby incorporated, and made a body corporate and politic, by the name and style of "The President and Directors of the Bank of Washington;" and by that name may sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in courts of record and any other place whatsoever; and by that name may have and hold, purchase, receive, possess, enjoy and retain lands, rents, tenements, hereditaments, goods, chattels and effects, of what nature, kind, or quality soever; and the same sell, grant, demise, alien and dispose of; and, by that name shall have succession, during the continuance of this act, and may make, have and use a common seal, and the same may break, alter and renew at pleasure; and shall have power to ordain, establish and put in execution, such by-laws, ordinances and regulations as shall seem necessary and convenient for the government of the said corporation, not being contrary to law, nor to the constitution thereof; and generally to do and execute all acts necessary or proper for the objects of the said incorporation, subject to the rules, regulations, restrictions, limitations and provisions herein described and declared.

SEC. 2. *And be it further enacted*, That the capital stock of the said bank shall consist of five hundred thousand dollars, money of the United States, to be divided into shares of twenty dollars each; of which, ten dollars on each share will, according to the articles of association aforesaid, have been paid before the said fourth day of March, eighteen hundred and eleven; and it shall be optional with any stockholder thereafter to fill up his or her share or shares, by the payment, at any one time, of the residue of the money due thereon, who shall thereupon be entitled to receive dividends in future, in proportion to the whole amount paid upon such share or shares: *Provided*, that the dividend or dividends, on

Capital.

Shares, &c.
&c.

(a) The deposit of a bill in one bank, to be transmitted to another for collection, is a common usage of great public convenience; and the duty of a bank receiving such bill, is precisely the same, whoever may be the owner thereof: and if it was unwilling to undertake the collection without precise information on the subject, the duty ought to have been declined. *The Bank of Washington v. Triplet and Neale*, 1 Peters, 30.

Bank to be continued in Washington. Directors, &c. to be appointed.

such sums of money so paid, shall not commence until the first day of the month next ensuing such payment.

SEC. 3. *And be it further enacted*, That the said bank shall transact its business in the city of Washington.

SEC. 4. *And be it further enacted*, That the affairs of the said bank shall be conducted by twelve directors and a president, whose place, if chosen from among their number, shall be supplied by that body. Six of the directors, with the president, shall form a board or quorum for transacting all the business of the company. In case of his sickness or necessary absence, his place may be supplied by any director, whom he, by writing under his hand, may nominate for that purpose; or, in case of his not making such nomination, the board may appoint a president to act during his absence. The president and directors who may be in office, under the said articles of association, on the said fourth day of March, eighteen hundred and eleven, shall continue in office under and by virtue of this act of incorporation, until others shall be duly chosen in their stead. No person shall be a director or president who is not a citizen of the United States and a stockholder; and a director ceasing to be a stockholder shall cease to be a director. And no person, a director of another bank, shall be a director of this bank. Every stockholder, being a citizen of the United States, shall be entitled to vote at all elections to be holden by the stockholders, in pursuance of this act, and shall have as many votes, in proportion to the stock he may hold, as follows: for one share and not exceeding two shares, one vote each; for every two shares above two, and not exceeding ten, one vote; for every four shares above ten, and not exceeding thirty, one vote; and for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote; and for every ten shares above that number, one vote. But no person or persons, bodies corporate, or otherwise, shall be entitled to more than fifty votes. But no stockholder shall be permitted to vote, who has not held his stock two calendar months prior to the day of election. All stockholders, living in the city of Washington, shall vote in the choice of directors by ballot in person; but every stockholder, living out of said city, may vote in person or by a written ballot, by him or her subscribed with his or her name, and duly acknowledged before a judge of a court, a justice of the peace, or a notary public; a certificate whereof shall be made on said ballot by the judge, justice of the peace, or notary public, before whom such acknowledgment shall be made, and said ballot shall by him be sealed up, and addressed to the cashier of the bank; and being transmitted before the time of the election, shall be received and counted in the election. No person who is not a citizen of the United States shall be entitled to vote in any election of this corporation: *Provided nevertheless*, that this section may at any time hereafter be altered or amended by Congress, in such manner as they may see fit, so as to provide for an annual rotation of the directors.

SEC. 5. *And be it further enacted*, That a general meeting of the stockholders of the said bank shall be holden on the first Monday of January, in the year eighteen hundred and twelve, and on the first Monday of January in every year thereafter, at such place as the president and directors shall appoint, by giving four weeks' notice in one or more of the newspapers of the city of Washington, for the purpose of electing directors for the ensuing year, who shall meet on the day succeeding their election, and shall immediately proceed to choose a president; and the president and directors for the time being shall continue in office until others shall be duly elected in their places, and be organized by the assembling of a quorum, and the choice of a president. At all elections the persons having the greatest number of votes shall be deemed to be chosen. All elections shall be held under the superintendence of

Votes.

No one to vote who is not a citizen of the United States.

This section may be altered by Congress.

Times of meeting, for choice of directors, &c. &c.

Regulations of elections.

the president of the bank for the time being and four stockholders, not being at the time directors, appointed by the board of directors, any three of whom shall be judges thereof. They shall immediately thereafter notify the persons elected to meet the ensuing day at the bank, and shall make a return of the persons elected at their first meeting. Should two or more persons have an equal number of votes, the other individuals elected directors shall determine by ballot from among said persons, who shall be the director or directors. All elections shall be opened at ten o'clock in the forenoon, and closed at three o'clock in the afternoon.

SEC. 6. *And be it further enacted*, That the president and directors shall have full power to make, revise, alter and annul all such rules, orders, by-laws and regulations, for the government of the said corporation, and that of its officers, servants and affairs, as they shall, from time to time, think expedient; and to use, employ and dispose of the capital stock, funds and property of the said bank, for the interest and benefit of the stockholders, subject only to the restrictions herein contained; but the said bank shall not take, for discounting any bill or note, more than at the rate of six per cent. per annum, upon the amount due by such bill or note.

Powers of the president and directors to make by-laws.

SEC. 7. *And be it further enacted*, That all promissory notes, bills of exchange, drafts, checks and receipts, for the payment of money, made on behalf of the said bank, signed by the president, and countersigned or attested by the cashier, shall be obligatory upon the said body corporate, and shall possess the like qualities as to negotiability, and the holders thereof shall have the like actions thereupon, as if such promissory notes, bills of exchange, drafts, checks or receipts, had been made by or on behalf of a natural person.

Promissory notes, &c. &c. signed by the president obligatory upon stockholders, &c. &c.

SEC. 8. *And be it further enacted*, That the books, papers, correspondence and funds of the bank, shall at all times be subject to the inspection of the directors. And the said president and directors shall once in every year cause to be laid before the Secretary of the Treasury of the United States an account truly stating the situation of the bank and its funds.

Books, &c. &c. subject to inspection of directors.

Reports to be made to the Secretary of the Treasury.

SEC. 9. *And be it further enacted*, That the said president and directors shall have power to appoint a cashier, and all other officers and servants, for executing the business of the said bank, and to establish the compensation to be made to the president and all other officers and servants of the said bank respectively. But no compensation shall be given to a director for his services, except by a vote of the stockholders in general meeting.

President and directors to appoint the officers, &c. &c.

SEC. 10. *And be it further enacted*, That the president and directors shall have power to call a general meeting of the stockholders, for purposes concerning the interests of the bank, giving at least six weeks' notice in one or more of the newspapers of the city of Washington, specifying in such notice the object or objects of such meeting.

General meetings of the stockholders.

SEC. 11. *And be it further enacted*, That the shares of capital stock, at any time owned by any individual stockholder, shall be transferable only on the books of the bank, according to such rules as may, conformably to law, be established in that behalf by the president and directors; but all debts actually due and payable to the bank (days of grace for payment being past) by a stockholder requesting a transfer, must be satisfied before such transfer shall be made, unless the president and directors shall direct to the contrary.

Shares how transferable, &c. &c.

SEC. 12. *And be it further enacted*, That the dividends of the profits of the company, or so much of said profits as shall be deemed expedient and proper, shall be declared half-yearly, in the first week in May and November, in each year; the amount of said dividend shall, from time to time, be determined by the president and directors, and shall in no case exceed the amount of the net profits actually acquired by the com-

Dividends, &c. &c. when to be declared, &c.

pany, so that the capital stock of the said company shall never be impaired by dividends.

Limitation of
Discounts.

SEC. 13. *And be it further enacted*, That the said bank shall not at any time discount or loan a greater sum than double the amount of the capital stock thereof, which shall be actually paid in.

SEC. 14. *And be it further enacted*, That if the said directors shall at any time wilfully and knowingly make or declare any dividend, which shall impair the said capital stock, all the directors present at the making or declaring of said dividend, and consenting thereto, shall be liable in their individual capacities to the company for the amount or proportion of said capital stock so divided by the said directors; and each director, who shall be present at the making or declaring such dividend, shall be deemed to have consented thereto, unless he shall immediately enter, in writing, his dissent on the minutes of the proceedings of the board, and give notice thereof to the Secretary of the Treasury of the United States.

Bank not to
own vessels or
to be concerned
in trade.

SEC. 15. *And be it further enacted*, That the bank shall in no case be owners of any ships or vessels, or directly or indirectly be concerned in trade, or the importation or exportation, purchase or sale, of any goods, wares or merchandise whatever, except bills of exchange, bullion, stock of the United States, or of incorporated institutions, and such ships, vessels, goods, wares or merchandise, as shall be truly pledged to them by way of security for debts due, owing or growing due to the said bank, or purchased by it to secure such debts.

Bank not to
hold real prop-
erty but in cer-
tain cases.

SEC. 16. *And be it further enacted*, That the bank shall not purchase or hold any lands, tenements or other real estates, other than what may be necessary for the convenient transaction of its business, unless such lands, tenements and real estates shall have been bona fide mortgaged to the bank by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of dealings, or purchased to secure debts contracted with or due to the bank; and in every instance in which the bank may become the owners or claimants of lands, tenements or real estates, the president and directors are empowered to sell or dispose of the same, in such manner as they may deem beneficial for the said bank.

Vacancies in
the board of di-
rectors how to
be filled.

SEC. 17. *And be it further enacted*, That if, any vacancy shall at any time happen among the directors by death, resignation or otherwise, the rest of the directors, for the time being, shall elect a director to fill the vacancy.

Meetings of
stockholders.

SEC. 18. *And be it further enacted*, That any number of stockholders, who shall be proprietors of not less than two thousand shares, may, for any purpose relative to the institution, at any time apply to the president and directors to call a general meeting of the stockholders, and if by them refused, the said number of stockholders, proprietors of not less than the number of shares aforesaid, shall have power to call a general meeting of the stockholders, giving at least sixty days' notice in one or more of the public newspapers of the city of Washington, specifying in such notice the object or objects of such call.

Bank restrict-
ed as to its
debts.

SEC. 19. *And be it further enacted*, That the total amount of the debts, which the said corporation shall at any time owe, whether by bond, bill, note or other contract, shall not exceed twice the amount of their capital stock actually paid over and above the monies then actually deposited in the bank for safe keeping. In case of excess, the directors, under whose administration it shall happen, shall be liable for the same, in their natural and private capacities; and an action of debt may in such case be brought against them, or any of them, their or any of their heirs, executors, or administrators in any court proper to try the same by any creditor or creditors of said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said

corporation, or the lands, tenements, goods or chattels of the same from being also liable for and chargeable with said excess. Such of said directors who may have been absent when said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was so contracted or created, may respectively exonerate themselves from being so liable by forthwith giving notice of the fact, and of their absence or dissent, to the Secretary of the Treasury of the United States, and to the stockholders at a general meeting which they shall have power to call for that purpose; and the body corporate, hereby created, and the capital stock thereof, shall be liable for all the debts and engagements contracted, or which, before or on the said fourth day of March, in the year eighteen hundred and eleven, shall be contracted by the company or co-partnership heretofore created by the articles of association herein before mentioned, and which carried on the banking business under the name and style of "The President and Directors of the Bank of Washington;" and the creditors of the said co-partnership shall have the like remedy by action, against the said body corporate, as they had or have, or may or can have, against the said co-partnership.

Liability of
directors.

SEC. 20. *And be it further enacted*, That in case it should at any time happen, that an election of directors should not be made on any day when, pursuant to this act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved; but it shall be lawful on any other day to hold and make an election of directors, at a meeting to be called, in such manner as shall be prescribed by the laws and ordinances of the said corporation.

Elections.

SEC. 21. *And be it further enacted*, That this act shall, to all intents and purposes, be deemed and held a public act, and be and continue in force for the term of ten years, from and after the fourth day of March, which will be in the year of our Lord one thousand eight hundred and eleven, and no longer.

This to be
deemed a pub-
lic act.

APPROVED, February 15, 1811.

STATUTE III.

CHAP. XVII.—*An Act to incorporate the subscribers to the Farmers' Bank of Alexandria.*

Feb. 16, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the present subscribers to the Farmers' Bank of Alexandria, as well as those who shall hereafter become subscribers to the same, their successors and assigns, shall be, and they are hereby created a corporation and body politic by the name and style of the Farmers' Bank of Alexandria; and by that name and style shall be and are hereby made able and capable in law to have, purchase, receive, possess, enjoy and retain, to them and their successors, lands, rents, hereditaments, goods, chattels and effects, of what kind, nature or quality soever: and the same to sell, grant, demise, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in courts of record or any other place whatsoever, subject nevertheless to the rules, regulations, restrictions, limitations and provisions herein after prescribed and declared.

Bank incor-
porated.

SEC. 2. *And be it further enacted*, That the capital stock of said corporation may consist of five hundred thousand dollars, divided into shares of fifty dollars each; and subscriptions, towards filling up the remaining part of said stock not already subscribed, may be opened by the president and directors of the bank, at such times and places, and under such regulations, as they shall direct; and it shall be lawful for any person, a citizen of the United States, to subscribe; and it shall be the duty of the president and directors to give notice in two newspapers, or more, published in the district of Columbia, of the times and places of opening

Capital to con-
sist of 500,000
dollars.

such subscriptions, at least thirty days previous thereto; and each of said subscriptions shall be kept open one day at least, and such further time as said directors may order.

Not to hold
real property,
but for certain
purposes.

SEC. 3. *And be it further enacted*, That the lands, tenements and hereditaments, which it shall be lawful for the said corporation to hold, shall be only such, as shall be requisite for its immediate accommodation, in relation to the convenient transaction of its business, and such as shall have been conveyed to it, in satisfaction of debts previously contracted in the course of its dealings, or purchased at sales on judgments, which shall have been obtained for such debts; nor shall this corporation directly or indirectly deal in or trade in any thing, except bills of exchange, gold or silver bullion; or in the sale of goods, really and truly pledged for money lent, and not redeemed in due time; or of goods which shall be the produce of its land; or of goods sold by virtue of an execution, on a judgment obtained by them.

Directors, &c.
&c.

SEC. 4. *And be it further enacted*, That for the well ordering the affairs of the said corporation, there shall be thirteen directors, of whom there shall be an election on the first Monday in January, in each year, by the stockholders or proprietors of the capital stock of the said corporation, and by plurality of the votes actually given; and those who shall be duly chosen at any election shall be capable of serving as directors, by virtue of such choice, until the end or expiration of the Monday of January next ensuing the time of such election, and until others shall be chosen. But the first election of directors under this act shall not take place, until the first Monday in January, in the year one thousand eight hundred and twelve; and the said directors, at their first meeting after each election, shall choose one of their number as President. No person, a director of another bank, shall be a director of this bank: *Provided*, that in case it should at any time happen, that an election of directors should not be made upon any day, when pursuant to this act it ought to have been made, the corporation shall not for that cause be deemed to be dissolved; but it shall be lawful on any other day, within fifteen days thereafter, to hold and make an election of directors, in such manner as shall have been regulated by the laws and ordinances of said corporation.

Proviso.

Directors to
have no emolu-
ment.

Compensation
of the president.

SEC. 5. *And be it further enacted*, That no director shall be entitled to any emolument, unless the same shall have been allowed by the stockholders at a general meeting. The directors shall make such compensation to the president, for his extraordinary attendance at the bank, as to them shall appear reasonable.

Officers of the
bank.

SEC. 6. *And be it further enacted*, That the directors for the time being shall have power to appoint such officers and servants under them, as may be necessary for executing the business of the said corporation, and to allow them such compensation for their services respectively, as shall seem reasonable: and shall be capable of exercising such other powers and authorities for the well governing and ordering of the affairs of the said corporation as shall be described, fixed and determined by the laws, regulations and ordinances of the same.

Rules, &c.
&c.

SEC. 7. *And be it further enacted*, That the president and directors shall determine the manner of doing business, and the rules and forms to be pursued, and dispose of the money and credit of the bank in such manner as shall seem to them best calculated to promote the interest of the proprietors.

Votes.

SEC. 8. *And be it further enacted*, That stockholders shall vote, at all elections for directors, by ballot, in person, except those who shall reside out of the town of Alexandria, who may vote either in person, or by a written ballot, by him or her subscribed with his or her name, and duly acknowledged before a judge of a court, a justice of the peace or notary public; a certificate whereof shall be made on said ballot, by the

said judge, justice of the peace or notary public, before whom such acknowledgment shall be made, and said ballot shall be sealed up and directed to the cashier of the bank; and being transmitted to said cashier, before the time of the election, shall be received and counted in the choice of directors. No share or shares shall confer a right of suffrage, which shall not have been holden two calendar months previous to the day of election; and the number of votes to which each stockholder shall be entitled shall be in proportion to the number of shares he shall hold, as follows: For one share, and not exceeding two shares, one vote each; for every two shares above two, and not exceeding ten, one vote; for every four shares above ten, and not exceeding thirty, one vote; for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote; and for every ten shares above that number, one vote; but no person or persons, bodies corporate or otherwise, shall be entitled to more than fifty votes: *Provided*, that this section may at any time hereafter be altered or amended by Congress, in such manner as they may see fit, so as to provide for an annual rotation of directors.

SEC. 9. *And be it further enacted*, That one month previous to each election of directors, the cashier shall cause to be made out a correct list of all the stockholders, which shall be subject to the inspection of any stockholder.

SEC. 10. *And be it further enacted*, That no person shall be eligible to hold the office of president or director, who is not a citizen of the United States and a bona fide stockholder.

SEC. 11. *And be it further enacted*, That a majority of the whole number of directors, shall be necessary in the choice of a president and cashier; but three members, with the president, may constitute a board for transacting the ordinary business of the bank.

SEC. 12. *And be it further enacted*, That the president and directors shall, as soon as they may deem it expedient, declare a dividend of profits; and every half year thereafter, shall make and declare such dividends of profit, as they may deem proper; but no dividend shall be declared, except by a majority of all the directors.

SEC. 13. *And be it further enacted*, That the president and directors shall keep a book in which their proceedings at their meetings, as a board, shall be regularly recorded, and upon every question which may occur, the ayes and noes thereupon shall be noted, which record book shall at all times be open to the inspection of any stockholder, not being a director, officer or servant of any other bank, who shall, six months previous to his application, be the proprietor of stock, to the amount of three thousand dollars.

SEC. 14. *And be it further enacted*, That any number of stockholders, not less than twenty, owning together fifty thousand dollars of stock, shall be at liberty to call a meeting of the stockholders at any time, and may appoint three of their number as a committee to examine into the state and condition of the bank and the manner in which its affairs have been conducted: *Provided*, that no member of such committee shall be a director, president or other officer or servant of any other bank.

SEC. 15. *And be it further enacted*, That the president and cashier shall respectively give bond and security, and also take an oath, for the faithful discharge of their duties; the president in the sum of twenty thousand dollars, and the cashier in the sum of thirty thousand dollars; the other officers and servants shall also take an oath, and enter into bond and security in such sums as the president and directors may prescribe.

SEC. 16. *And be it further enacted*, That the said bank shall not at any time discount or loan a greater sum than double the amount of the capital stock thereof, which shall be actually paid in.

Stockholders only to be president or director.

A majority of the whole number of directors necessary to the choice of a cashier.

Dividends how and when to be declared.

A book to be kept in which the proceedings of the board are to be entered.

Meetings of stockholders, &c. &c.

President and cashier to give bond, &c. &c.

Limitation of loans or discounts.

Notes, &c. &c.
to be signed by
the president
and cashier.

SEC. 17. *And be it further enacted*, That all bills, bonds, notes and every contract or engagement, on behalf of the corporation for the payment of money, shall be signed by the president, and countersigned by the cashier; and the funds of the corporation shall in no case be liable for any contract or engagement, unless the same shall be signed and countersigned as aforesaid; and the president and directors shall not issue any note for a smaller sum than five dollars.

Rate of dis-
count or inter-
est.

SEC. 18. *And be it further enacted*, That it shall not be lawful for the president and directors, to demand or receive a greater discount or interest than at the rate of one per cent. for sixty days, upon any loans or advances of money which they may make.

Transfer of
shares.

SEC. 19. *And be it further enacted*, That the shares of the capital stock shall be transferable at any time, according to such rules as may be established by the president and directors; but no stock shall be transferred, the holder thereof being indebted to the bank, until such debt be satisfied, except the president and directors shall otherwise order it.

Stockholders
members.

SEC. 20. *And be it further enacted*, That every stockholder, whether he be so by original subscription or by transfer, shall be considered as a member of this corporation, and, when he ceases to be a stockholder, he shall cease to be a member.

In the absence
of the president,
his place to be
supplied by the
board.

SEC. 21. *And be it further enacted*, That it shall be the duty of the president, or in his absence, such one of the directors as they shall appoint to supply his place for the time, to preside at the board of directors, to vote on all questions, to minute the proceedings of the board, to cause all the orders and resolutions of the board to be carried into effect, to sign all bonds, bills, notes or other engagements, which the board of directors may from time to time direct to be issued for the payment of money, and generally to superintend the affairs, and to watch over the interest of this corporation.

Vacancies,
how to be filled.

SEC. 22. *And be it further enacted*, That if a vacancy shall at any time happen in the office of president, director, cashier, or any other officer or servant of the bank, by death, resignation, disqualification or otherwise, the same may be filled by a majority of the directors for the time being.

Accommoda-
tions limited.

SEC. 23. *And be it further enacted*, That no standing or unlimited accommodation shall be granted.

Stockholders
to forfeit their
dividends upon
unpaid shares.

SEC. 24. *And be it further enacted*, That if any stockholder shall fail to pay up the several instalments upon his subscription, as the same may become due, his dividends upon such instalments as he may have paid shall cease as to him, and remain to the use and benefit of the other members of the corporation.

Capital stock
not to be impair-
ed in dividends.

SEC. 25. *And be it further enacted*, That if the president and directors shall at any time wilfully and knowingly make and declare any dividend which shall impair the capital stock, or shall wilfully and knowingly violate or infringe any of the foregoing articles of this corporation, all the directors present at the making or declaring such dividends, or violating or infracting such article or articles, and consenting thereto, shall be liable in their individual capacities to the corporation, for the amount or proportion of said capital stock so divided, and also for any injury or damage that may accrue to creditors, in consequence of any such violation or infraction as aforesaid; and each director who shall be present shall be deemed to have assented thereto, unless he shall cause his dissent to be entered upon record: *Provided*, that nothing herein contained shall be construed to exempt the corporation from any liability, to any person or persons, which otherwise the said corporation might incur.

Proviso.

Rules, &c.
&c. may be
altered.

SEC. 26. *And be it further enacted*, That the president and directors shall have power, a majority of their whole number concurring, to make, revise, alter or annul all such rules, orders or by-laws, for the govern-

ment of the corporation, and that of their officers, servants and affairs, as they may from time to time think expedient, not inconsistent with law.

SEC. 27. *And be it further enacted*, That any number of stockholders not less than twenty, who together shall be proprietors of two thousand shares, may for any purpose relative to this corporation, at any time apply to the president and directors to call a general meeting of the stockholders, and if by them refused, the said number of stockholders, proprietors of not less than that number of shares shall have power to call a general meeting of the stockholders, giving at least thirty days' notice in one newspaper printed within the town of Alexandria, and one printed within the city of Washington, specifying in such notice the object or objects of such call.

SEC. 28. *And be it further enacted*, That the Secretary of the Treasury of the United States shall be, (at least once in every year) furnished, from time to time, as he may require it, with statements of the amount of the capital stock of the said corporation, and of the debts due to the same, of the monies deposited therein, of the notes in circulation, and of the cash in hand, and shall have a right to inspect such general accounts in the books of the bank, as shall relate to the said statements: *Provided*, that this shall not be construed to imply a right of inspecting the account of any private individual or individuals with the bank.

SEC. 29. *And be it further enacted*, That this corporation shall continue until the first day of January, in the year one thousand eight hundred and twenty-one: But nevertheless, the proprietors of two thirds of the capital stock of the company may, by their concurrent votes at a general meeting, to be called for that purpose, dissolve the same at an earlier period: *Provided*, that notice of such meeting and its object shall be published in two or more newspapers, printed within the district of Columbia, for at least three months successively, previous to the time appointed for such meeting.

SEC. 30. *And be it further enacted*, That on the dissolution of this corporation, whenever the same shall be determined on as aforesaid, effectual measures shall be immediately taken by the president and directors, then in office, for closing all the concerns of the corporation and for dividing the capital and profits which may remain, among the stockholders in proportion to their respective interests.

SEC. 31. *And be it further enacted*, That this act shall not take effect until the fourth day of March, which will be in the year of our Lord one thousand eight hundred and eleven, and shall to all intents and purposes be deemed and held a public act.

APPROVED, February 16, 1811.

Meetings of the stockholders.

Secretary of the Treasury to be furnished with a statement of the bank affairs.

Proviso.

On the dissolution of the corporation, the capital, &c. &c. to be divided.

Commencement of this act.

STATUTE III.

Feb. 16, 1811.

Bank incorporated.

CHAP. XVIII.—*An Act to incorporate the Bank of Potomac.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the fourth day of March, which will be in the year of our Lord one thousand eight hundred and eleven, all those who have or hereafter may become stockholders in the Bank of Potomac, their successors and assigns, shall be and they are hereby created and made a body politic, by the name and style of "The President, Directors and Company of the Bank of Potomac," and so shall continue until the fourth day of March, in the year of our Lord one thousand eight hundred and twenty-one, and no longer; and by that name shall have succession; and shall be and are hereby made able and capable in law to have, purchase and receive, possess, enjoy and retain to them and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects of what kind, nature or quality soever,

The lands, &c. to be held by the bank, shall be such only, as their business may require.

Proviso.

Capital.

Elections. Votes, &c.

Regulations in relation to elections, &c. &c.

and the same to sell, grant, demise, alien or dispose of; and by the name aforesaid may sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in any court of law or equity. And by the name aforesaid may do and execute every other matter and thing, that they are authorized to do by virtue of this act: *Provided always*, that the lands, tenements and hereditaments, which it shall be lawful for the said president and directors to hold, shall be only such as shall be requisite for their immediate accommodation, in relation to the convenient transacting their business, and such as shall have been *bona fide* mortgaged to them by way of security, or conveyed to them in satisfaction of debts previously contracted in the course of their dealings: *Provided also*, that the said president and directors shall not purchase any goods, chattels or effects, unless such as are sold by virtue of an execution upon a judgment obtained by them, except such articles as may be necessary for them in transacting the business of the bank; but it shall be lawful for them to receive and hold such securities, goods, chattels and effects, by way of deposit for advances made by them to any person or persons, and, on failure of payment, the same to sell and dispose of at public sale.

SEC. 2. *And be it further enacted*, That the capital of the said bank shall consist, as it now does, of the sum of five hundred thousand dollars, divided into shares of one hundred dollars each.

SEC. 3. *And be it further enacted*, That every stockholder, being a citizen of the United States, shall be entitled to vote at all elections to be holden by the stockholders in pursuance of this act, and shall have as many votes in proportion to the stock he may hold, as follows: For one share and not exceeding two shares, one vote each; for every two shares above two and not exceeding ten, one vote; for every four shares above ten and not exceeding thirty, one vote; for every six shares above thirty and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote; and for every ten shares above that number, one vote. But no person or persons, bodies corporate or otherwise, shall be entitled to more than fifty votes. No share or shares shall confer a right of suffrage, which shall not have been holden two calendar months previous to the day of election. And in the choice of directors, every stockholder shall vote in person, (except those who shall reside out of the town of Alexandria,) who may vote either in person or by a written ballot by him or her subscribed, with his or her name, and duly acknowledged before a judge of a court, a justice of the peace, or a notary public; a certificate whereof shall be made on said ballot by the said judge, justice of the peace or notary public, before whom such acknowledgment shall be made; and said ballot shall be by him sealed up, and addressed to the cashier of the bank, and being transmitted to said cashier before the time of the election of directors, said ballot shall be received and counted in the choice of directors. And every stockholder may sell and transfer his stock in the said bank, or any part thereof, at his pleasure, not being less than one complete share or shares, the transfer being made in the bank books, in the presence and with the approbation of the proprietor or his lawful attorney.

SEC. 4. *And be it further enacted*, That an election shall be held in the town of Alexandria on the first Monday of November in each year, of which notice shall be given in one or more newspapers, printed in the town of Alexandria, four weeks at least, before said day of election. And the stockholders shall choose, by ballot, from among the stockholders, by a majority of votes, twelve directors, for the term of one year thereafter; and on resignation, disqualification or removal of any director, out of the county of Alexandria, in the district of Columbia, or out of the county of Fairfax, in the state of Virginia, the other directors, at their next meeting thereafter, shall elect by ballot another person, qualified

as aforesaid, in his place, for the residue of the year. The directors shall, at the first meeting after every general election, elect by a majority of their whole number, by ballot from among their own number, a president, who shall be thereupon entitled to all the powers and privileges of one; and if he was before a director, another director shall be elected as aforesaid, so as to keep the number of directors, prescribed by this act, exclusive of the president, entire; and in case of the death, resignation or removal of the president, out of the county of Alexandria, or county of Fairfax aforesaid, or his refusal to accept his office, the directors shall meet as soon as conveniently can be thereafter, and elect another person for president, in the manner before directed; but the president and directors at present elected by the stockholders, shall continue to act, until their successors are chosen: *Provided*, that in case it should at any time happen, that an election of directors should not be made upon any day, when, pursuant to this act, it ought to have been made, the corporation shall not for that cause be deemed to be dissolved, but it shall be lawful on any other day, within fifteen days thereafter, to hold and make an election of directors, in such manner, as shall have been regulated by the laws and ordinances of said corporation. *And provided nevertheless*, that this section may at any time hereafter be altered or amended by Congress, in such manner as they may see fit, so as to provide for an annual rotation of the directors.

Proviso.

This section may be amended by Congress.

Meetings of the directors.

SEC. 5. *And be it further enacted*, That there shall be a meeting of the directors quarterly, for the purpose of examining the affairs of the bank, any four of whom shall make a board; and the board shall have power to adjourn, from time to time; and the president, or any three of the directors may call a special meeting at any other time that they may think proper.

SEC. 6. *And be it further enacted*, That the board of directors, by a majority of votes, shall make by-laws, determine the manner of doing business, and the rules and forms to be pursued; and dispose of the money and credit of the bank, for the interest and benefit of the stockholders; and are hereby authorized to receive for discounts, made at the said bank, at the rate, and not exceeding six per cent. per annum, and make, at the expiration of each half year, a dividend of the profit, or such part thereof, as they may think prudent.

Powers of the board of directors.

SEC. 7. *And be it further enacted*, That in appointing a cashier of the said bank, and all other officers, a majority of the whole directors shall be necessary to a choice.

A majority of the directors required, for choosing officers.

SEC. 8. *And be it further enacted*, That any director, officer, or other person, holding any share or capital of the said bank stock, who shall commit any fraud or embezzlement, touching the money or property of said bank, shall be liable to be prosecuted, in the name of the United States, by indictment for the same; and upon conviction thereof, shall, besides the remedy that may be had by action, in the name of the President and Directors of the Bank of Potomac, for the fraud aforesaid, forfeit to the company all his share and stock in the said bank.

Frauds, &c. how to be punished.

SEC. 9. *And be it further enacted*, That the said bank shall not at any time discount or loan a greater sum than double the amount of the capital stock, which shall be actually paid in.

Limitation of discounts.

SEC. 10. *And be it further enacted*, That no stockholder or member of said company, shall be answerable for any losses, deficiencies or failure of the capital stock of the said bank, for any more or larger sum or sums of money whatsoever, than the amount of the stock, stocks or shares, which shall appear by the books of said company to belong to him at the time or times when such loss or losses shall be sustained, except as is hereafter excepted, that is to say: If the total amount of the debts which said company shall at any time owe, whether by bond, note, bill or other contract, shall exceed twice the amount of the capital stock of

Extent of the liability of stockholders.

Directors who are absent, not to be liable, if they give notice to the stockholders.

Notes for a smaller sum than five dollars not to be issued.

Affairs of the bank to be annually laid before Secretary of Treasury.

Directors not entitled to any emolument, but by a decision of the board.

None but citizens of the U. States and inhabitants of Alexandria or Fairfax counties eligible.

General meetings may be called by the stockholders.

the said bank, over and above the monies actually deposited in the bank for safe keeping, then, in case of such excess, the directors, under whose administration it shall happen, shall be liable for such excess in their natural and private capacities: and an action or actions of debt may be brought against them or any of their heirs, executors or administrators, in any court of record within the district of Columbia, by any creditor or creditors, of said company, and may be prosecuted to judgment and execution, any condition or covenant, or agreement, to the contrary notwithstanding; but this shall not be construed to exempt the said body politic, or lands, tenements, goods or chattels of the same, from being also liable for, and chargeable with said excess: *Provided*, that such of the said directors, who may have been absent when said excess was contracted, or created, or who may have dissented from the resolution or act, whereby the same was so contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact, and of their absence or dissent, to the mayor of the town of Alexandria, for the time being, and to the stockholders, at a general meeting which he or they shall have power to call for that purpose. And in case the directors, by whose act such excess shall be occasioned, shall not have property to pay the amount of such excess, then each and every stockholder, shall be liable in their private capacities for the deficiencies, in proportion to their respective shares in the said bank.

SEC. 11. *And be it further enacted*, That the said president and directors shall not issue any note for a smaller sum than five dollars; and the said president and directors shall, once in every year, cause to be laid before the Secretary of the Treasury of the United States an account, truly stating the situation of the bank and its funds.

SEC. 12. *And be it further enacted*, That no director shall be entitled to any emolument, unless the same shall have been allowed by a majority of the stockholders, at a general meeting, but the directors shall make such compensation to the president for his extraordinary services and attendance at the bank, as shall appear to them reasonable.

SEC. 13. *And be it further enacted*, That none but a stockholder, being a citizen of the United States, and a resident of the county of Alexandria, or county of Fairfax aforesaid, shall be eligible as a president or director.

SEC. 14. *And be it further enacted*, That a number of stockholders, not less than twenty, who together shall be proprietors of one thousand shares or upwards, shall have power at any time to call a general meeting of the stockholders, for purposes relative to the institution, giving at least six weeks' notice in one or more newspapers, printed in the town of Alexandria, and specifying in such notice the object or objects of such meeting.

SEC. 15. *And be it further enacted*, That this act shall, to all intents and purposes, be deemed and held a public act.

APPROVED, February 16, 1811.

STATUTE III.

Feb. 18, 1811.

Bank incorporated.

CHAP. XIX.—*An Act to incorporate the Union Bank of Georgetown.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the fourth day of March, which will be in the year of our Lord, one thousand eight hundred and eleven, all those persons, their legal representatives or assigns, who, on the first Monday of November, in the year of our Lord one thousand eight hundred and nine, in Georgetown, district of Columbia, subscribed certain articles of association, and formed a company or limited partnership, under the name and style of the "President and Directors of the Union Bank of Georgetown," and who, on the said fourth day of March, in the year eighteen hundred and eleven, shall hold

any share of the joint stock or funds created in pursuance of the said articles of association, and their successors, being stockholders as aforesaid, shall be and they are hereby incorporated, and made a body corporate and politic, by the name and style of the "President and Directors of the Union Bank of Georgetown," and by that name may sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in courts of record and any other place whatsoever; and by that name may have and hold, purchase, receive, possess, enjoy and retain lands, rents, tenements, hereditaments, goods, chattels and effects, of what nature, kind or quality soever, and the same sell, grant, demise, alien and dispose of. And by that name, shall have during the continuance of this act succession; and may make, have and use a common seal, and the same may break, alter and renew at pleasure; and shall have power to ordain, establish and put in execution, such by-laws, ordinances and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law nor to the constitution thereof: and generally to do and execute all acts necessary or proper for the objects of said incorporation, subject to the rules, regulations, restrictions, limitations and provisions herein described and declared.

SEC. 2. *And be it further enacted*, That the capital stock of the said bank shall consist of five hundred thousand dollars, money of the United States, to be divided into shares of fifty dollars each; of which fifteen dollars on each share has been paid, according to the articles of association aforesaid; and it shall be optional with any stockholder hereafter to pay up the further sum of thirty-five dollars: *Provided*, that not more than fifty thousand dollars be paid in any one year, unless the president and directors, by a rule or order, should authorize or permit a greater sum to be paid; the dividend or dividends on such sums of money so paid, shall not commence until the first day of the month next ensuing such payment.

Capital of the bank.

SEC. 3. *And be it further enacted*, That the said bank shall transact its business in Georgetown.

Bank to be kept in Georgetown.

SEC. 4. *And be it further enacted*, That the affairs of the said bank shall be conducted by twelve directors and a president, whose place, if chosen from among their number, shall be supplied by that body. Six of the directors, with the president, shall form a board or quorum for transacting all the business of the company, but the ordinary discounts may be done by the president and three directors. In case of his sickness or necessary absence, his place may be supplied by any director, whom he, by writing under his hand, may nominate for that purpose, or in case of his not making such nomination, the board may appoint a president to act during his absence. The president and directors who may be in office under the said articles of association on the said fourth day of March, eighteen hundred and eleven, shall continue in office under and by virtue of this act of incorporation, until others shall be duly chosen in their stead. No person shall be a director or president, who is not a citizen of the United States, and a stockholder; and a director ceasing to be a stockholder, shall cease to be a director; and no person, a director of another bank, shall be a director of this bank. Every stockholder being a citizen of the United States, shall be entitled to vote at all elections to be holden by the stockholders in pursuance of this act, and shall have as many votes, in proportion to the stock he may hold, as follows: for every share as far as twenty, one vote for each share, and one vote for every two shares thereafter as far as forty; and for every five shares above forty, one vote; but no person or persons, bodies corporate or otherwise, shall be entitled to more than one hundred and fifty votes; no stockholder shall be permitted to vote, who has not held his stock two calendar months, prior to the day of election. All stockholders living in Georgetown, shall vote in the choice of directors by ballot in

Affairs of the bank to be conducted by twelve directors and a president, &c.

No person not a citizen of the U. States to vote.

Proviso.

General meetings for choosing directors, &c. &c.

Powers of the directors.

Promissory notes, &c. &c. to be signed by the president, &c. &c.

Books, &c. &c. subject to inspection of directors.

Annual statement to be made to Secretary of Treasury.

person : but every stockholder living out of said town may vote in person or by a written ballot by him or her subscribed with his or her name, and duly acknowledged before a judge of a court, a justice of the peace, or a notary public ; a certificate whereof shall be made on said ballot by the judge, justice of the peace, or notary public, before whom such acknowledgment shall be made ; and said ballot shall by him be sealed up, and addressed to the cashier of the bank, and being transmitted before the time of the election, shall be received and counted in the election. No person who is not a citizen of the United States shall be entitled to vote in any election of this corporation : *Provided nevertheless*, that this section may at any time hereafter be altered or amended by Congress, in such a manner as they may see fit, so as to provide for an annual rotation of the directors.

SEC. 5. *And be it further enacted*, That a general meeting of the stockholders of the said bank shall be holden on the first Monday of April, in the year eighteen hundred and eleven, and on the first Monday of April, in every year thereafter, at such place as the president and directors shall appoint, by giving four weeks' notice in two or more of the newspapers of the district, for the purpose of electing directors for the ensuing year, who shall meet on the day succeeding their election, and shall immediately proceed to choose a president ; and the president and directors for the time being, shall continue in office until others shall be duly elected in their places, and be organized by the assembling of a quorum, and the choice of a president. At all elections the persons having the greatest number of votes shall be deemed to be chosen. All elections shall be held under the superintendence of the president of the bank, for the time being, and four stockholders not being at the time directors, appointed by the board of directors, any three of whom shall be judges thereof. They shall immediately thereafter notify the persons elected to meet the ensuing day at the bank, and shall make a return of the persons elected, at their first meeting. Should two or more persons have an equal number of votes, the other individuals elected directors, shall determine by ballot from among said persons, who shall be the director or directors. All elections shall be opened at ten o'clock in the forenoon, and closed at three in the afternoon.

SEC. 6. *And be it further enacted*, That the president and directors shall have full power to make, revise, alter and annul all such rules, orders, by-laws and regulations, for the government of said corporation, and that of its officers, servants and affairs, as they shall from time to time think expedient ; and to use, employ and dispose of the capital stock, funds and property of said bank, for the interest and benefit of the stockholders, subject only to the restrictions herein contained ; but the said bank shall not take for discounting any bill or note, more than at the rate of six per cent. per annum, upon the amount due by such bill or note.

SEC. 7. *And be it further enacted*, That all promissory notes, bills of exchange, drafts, checks and receipts, for the payment of money made on behalf of the said bank, signed by the president and countersigned and attested by the cashier, shall be obligatory upon the said body corporate, and shall possess the like qualities as to negotiability, and the holders thereof shall have the like actions thereupon, as if such promissory notes, bills of exchange, drafts, checks or receipts had been made by or on behalf of a natural person.

SEC. 8. *And be it further enacted*, That the books, papers, correspondence and funds of the bank shall at all times be subject to the inspection of the directors. And the said president and directors shall once in every year cause to be laid before the Secretary of the Treasury of the United States an account, truly stating the situation of the bank and its funds.

SEC. 9. *And be it further enacted*, That the said president and directors shall have power to appoint a cashier, and all other officers and servants, for executing the business of said bank, and to establish the compensation to be made to the president and all other officers and servants of the said bank, respectively; but no compensation shall be given to a director for his services, except by a vote of the stockholders in general meeting.

Officers, &c.
&c. how ap-
pointed.

SEC. 10. *And be it further enacted*, That the president and directors shall have power to call a general meeting of the stockholders, for purposes concerning the interests of the bank, giving at least six weeks' notice, in one or more of the newspapers of the district, specifying in such notice the object or objects of such meeting.

General meet-
ings of the
stockholders.

SEC. 11. *And be it further enacted*, That the shares of the capital stock, at any time owned by any individual stockholder, shall be transferable only on the books of the bank according to such rules, as may, conformably to law, be established in that behalf, by the president and directors; but all debts actually due and payable to the bank (days of grace for payment being passed) by a stockholder, requesting a transfer, must be satisfied, before such transfer shall be made, unless the president and directors shall direct to the contrary.

Transfer of
shares.

SEC. 12. *And be it further enacted*, That the dividends of the profits of the company, or so much of said profits as shall be deemed expedient and proper, shall be declared half yearly, in the first week in April and October, in each year; the amount of said dividend shall from time to time be determined by the president and directors, and shall in no case exceed the amount of the net profits actually acquired by the company, so that the capital stock of the said company shall never be impaired by dividends.

Dividends to
be declared
semi-annually.

SEC. 13. *And be it further enacted*, That if the said directors shall at any time, wilfully and knowingly make or declare any dividend which shall impair the said capital stock, all the directors present at the making or declaring of said dividend, and consenting thereto, shall be liable in their individual capacities to the company, for the amount or proportion of said capital stock so divided by the said directors; and each director who shall be present at the making or declaring of such dividend, shall be deemed to have consented thereto, unless he shall immediately enter in writing, his dissent on the minutes of the proceedings of the board, and give notice thereof to the Secretary of the Treasury of the United States.

Capital not to
be impaired
thereby.

Directors who
are present at
the making of
dividends liable.

SEC. 14. *And be it further enacted*, That the bank shall, in no case, be owners of any ships or vessels, or directly or indirectly, be concerned in trade, or the importation or exportation, purchase or sale of any goods, wares or merchandise whatever, except bills of exchange, bullion, stock of the United States, or of incorporated institutions, and such ships, vessels, goods, wares or merchandise, as shall be truly pledged to them by way of security for debts due, owing or growing due to the said bank, or purchased by it to secure such debts.

Bank not to
be engaged in
ships, &c.

SEC. 15. *And be it further enacted*, That the bank shall not purchase or hold any lands, tenements or other real estates, other than what may be necessary for the convenient transaction of its business, unless such lands, tenements and real estates, shall have been bona fide mortgaged to the bank by way of security or conveyed to it in satisfaction of debts previously contracted in the course of dealings, or purchased to secure debts contracted with or due to the bank; and in every instance in which the bank may become the owners or claimants of lands, tenements or real estates, the president and directors are empowered to sell or dispose of the same, in such a manner as they may deem beneficial for the said bank.

Nor in the pur-
chase of lands,
&c. &c.

SEC. 16. *And be it further enacted*, That if any vacancy shall at any

Vacancies,
how to be filled.

time happen among the directors by death, resignation or otherwise, the rest of the directors for the time being, shall elect a director to fill the vacancy.

Extra general
meetings may
be called.

SEC. 17. *And be it further enacted*, That if any number of stockholders not less than twenty, who shall be proprietors of not less than four thousand shares, may for any purpose relative to the institution, at any time apply to the president and directors, to call a general meeting of the stockholders, and if by them refused, the said number of stockholders, proprietors of not less than the number of shares aforesaid, shall have power to call a general meeting of the stockholders, giving at least sixty days' notice in two or more of the public newspapers in the district, specifying in such notice the object or objects of such call.

Limitation of
discounts.

SEC. 18. *And be it further enacted*, That the said bank shall not at any time discount or loan a greater sum than double the amount of the capital stock, which shall be actually paid in.

Not to dis-
count beyond
twice the
amount of its
capital.

SEC. 19. *And be it further enacted*, That the total amount of the debts which the said corporation shall at any time owe, whether by bond, bill, note or other contract, shall not exceed twice the amount of their capital stock actually paid, over and above the monies then actually deposited in the bank for safe keeping. In case of excess, the directors, under whose administration it shall happen, shall be liable for the same in their natural and private capacities; and an action of debt, may in such case be brought against them or any of them, their or any of their heirs, executors or administrators, in any court proper to try the same, by any creditor or creditors of said corporation, and may be prosecuted to judgment and execution, any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said corporation, or the lands, tenements, goods or chattels of the same from being also liable for, and chargeable with said excess. Such of said directors who may have been absent when said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was so contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact, and of their absence or dissent, to the Secretary of the Treasury of the United States, and to the stockholders at a general meeting, which they shall have power to call for that purpose; and the body corporate hereby created, and the capital stock thereof, shall be liable for all the debts and engagements contracted, or which before or on the said fourth day of March, in the year eighteen hundred and eleven, shall be contracted by the company, or co-partnership heretofore created by the articles of association herein before mentioned, and which carried on the banking business under the name and style of "The President and Directors of the Union Bank of Georgetown;" and the creditors of the said co-partnership, shall have the like remedy by action, against the said body corporate, as they had or have, or may or can have against the said co-partnership.

Omissions to
make elections
provided for.

SEC. 20. *And be it further enacted*, That in case it should at any time happen, that an election of directors should not be made, on any day when, pursuant to this act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved; but it shall be lawful on any other day to hold and make an election of directors, at a meeting to be called in such manner as shall be prescribed by the laws and ordinances of the said corporation.

This to be
considered as a
public act.

SEC. 21. *And be it further enacted*, That this act shall to all intents and purposes, be deemed and held a public act, and be and continue in force for the term of ten years, from and after the fourth day of March, which will be in the year of our Lord, one thousand eight hundred and eleven, and no longer.

APPROVED, February 18, 1811.

CHAP. XX.—An Act making a further distribution of such laws of the United States, as respect the Public Lands.

STATUTE III.

Feb. 18, 1811.

Act of April 27, 1810, ch. 33.
Distribution of the land laws.

How to be distributed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the copies of the laws prepared and printed under the authority of "An act providing for printing and distributing of such laws of the United States as respect the public lands," passed the twenty-seventh day of April, one thousand eight hundred and ten, not otherwise disposed of, shall be distributed in the manner following, that is to say: The President and Vice President of the United States, the members of the Senate and House of Representatives, the secretaries of the state, treasury, war and navy departments, the attorney-general, the comptroller and register of the treasury, the judges of the supreme and district courts of the United States, the governors and judges of the territories, the surveyor-general of the United States, and the surveyor of the lands of the United States south of Tennessee, shall each receive one copy; the clerks in each of the departments of state, treasury and war, employed on land business, five copies; the secretary of the Senate, to be placed on his table for the use of the Senate, five copies; the clerk of the House of Representatives, to be placed on his table, for the use of the House of Representatives, ten copies; two hundred and fifty copies shall be placed in the library, and remain there under the same regulations as the other laws of the United States; one hundred copies shall be deposited in the treasury department for the use of the land boards, and offices which may hereafter be established; and the remainder shall be placed in the library, and each member of Congress hereafter elected, shall, so long as any remain, exclusive of the two hundred and fifty copies before mentioned, be entitled to one copy at the commencement of that session of Congress next succeeding his election.

APPROVED, February 18, 1811.

STATUTE III.

Feb. 20, 1811.

CHAP. XXI.—An Act to enable the people of the Territory of Orleans to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes. (a)

The inhabitants of Louisiana within directed limits to be authorized to form a constitution and state.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhabitants of all that part of the territory or country ceded under the name of Louisiana, by the treaty made at Paris on the thirtieth day of April, one thousand eight hundred and three, between the United States and France, contained within the following limits, that is to say: beginning at the mouth of the river Sabine, thence by a line to be drawn along the middle of the said river, including all islands to the thirty-second degree of latitude; thence due north, to the northernmost part of the thirty-third degree of north latitude; thence along the said parallel of latitude to the river Mississippi; thence down the said river to the river Iberville; and from thence along the middle of the said river and lakes Maurepas and Ponchartrain, to the gulf of Mexico; thence bounded by the said gulf to the place of beginning: including all islands within three leagues of the coast, be, and they are hereby authorized to form for themselves a constitution and state government, and to assume such name as they may deem proper, under the provisions and upon the conditions herein after mentioned.

Act of April 14, 1812, ch. 57.

SEC. 2. *And be it further enacted,* That all free white male citizens of the United States, who shall have arrived at the age of twenty-one years, and resided within the said territory, at least one year previous to the day of election, and shall have paid a territorial, county, district or

Elective franchise, how regulated.

(a) An act to enlarge the limits of the state of Louisiana, April 14, 1812, chap. 57.

parish tax: and all persons having in other respects the legal qualifications to vote for representatives in the general assembly of the said territory, be, and they are hereby authorized to choose representatives to form a convention, who shall be apportioned amongst the several counties, districts and parishes, within the said territory of Orleans, in such manner as the legislature of the said territory shall by law direct. The number of representatives shall not exceed sixty; and the elections for the representatives aforesaid shall take place on the third Monday in September next, and shall be conducted in the same manner as is now provided by the laws of the said territory for electing members for the House of Representatives.

Convention to meet at New Orleans.

The constitution to be republican and consistent with the constitution of the United States.

All right to waste and unappropriated lands to be disclaimed by an irrevocable ordinance.

Lands sold by Congress to be exempt from state taxes for five years.

Convention to send to Congress the act assenting to the adoption of the constitution of the United States.

SEC. 3. *And be it further enacted*, That the members of the convention, when duly elected, be, and they are hereby authorized to meet at the city of New Orleans, on the first Monday of November next, which convention, when met, shall first determine, by a majority of the whole number elected, whether it be expedient or not, at that time, to form a constitution and state government, for the people within the said territory, and if it be determined to be expedient, then the convention shall in like manner declare, in behalf of the people of the said territory, that it adopts the constitution of the United States; whereupon the said convention shall be, and hereby is authorized to form a constitution and state government, for the people of the said territory: *Provided*, the constitution to be formed, in virtue of the authority herein given, shall be republican, and consistent with the constitution of the United States; that it shall contain the fundamental principles of civil and religious liberty; that it shall secure to the citizen the trial by jury in all criminal cases, and the privilege of the writ of *habeas corpus*, conformably to the provisions of the constitution of the United States; and that after the admission of the said territory of Orleans as a state into the Union, the laws which such state may pass shall be promulgated, and its records of every description shall be preserved, and its judicial and legislative written proceedings conducted, in the language in which the laws and the judicial and legislative written proceedings of the United States are now published and conducted: *And provided also*, that the said convention shall provide by an ordinance, irrevocable without the consent of the United States, that the people inhabiting the said territory do agree and declare, that they for ever disclaim all right or title to the waste or unappropriated lands, lying within the said territory; and that the same shall be and remain at the sole and entire disposition of the United States; and, moreover, that each and every tract of land, sold by Congress, shall be and remain exempt from any tax, laid by the order or under the authority of the state, whether for state, county, township, parish or any other purpose whatever, for the term of five years from and after the respective days of the sales thereof; and that the lands, belonging to citizens of the United States, residing without the said state, shall never be taxed higher than the lands belonging to persons residing therein; and that no taxes shall be imposed on lands the property of the United States; and that the river Mississippi and the navigable rivers and waters leading into the same or into the gulf of Mexico, shall be common highways and for ever free, as well to the inhabitants of the said state as to other citizens of the United States, without any tax, duty, impost or toll therefor, imposed by the said state.

SEC. 4. *And be it further enacted*, That in case the convention shall declare its assent, in behalf of the people of the said territory, to the adoption of the constitution of the United States, and shall form a constitution and state government for the people of the said territory of Orleans, the said convention, as soon thereafter as may be, is hereby required to cause to be transmitted to Congress the instrument, by which its assent to the constitution of the United States is thus given and

declared, and also a true and attested copy of such constitution or frame of state government, as shall be formed and provided by said convention, and if the same shall not be disapproved by Congress, at their next session after the receipt thereof, the said state shall be admitted into the Union, upon the same footing with the original states.

SEC. 5. *And be it further enacted*, That five per centum of the net proceeds of the sales of the lands of the United States, after the first day of January, shall be applied to laying out and constructing public roads and levees in the said state, as the legislature thereof may direct.

APPROVED, February 20, 1811.

1812, ch. 50.

State to be admitted into the Union.

Reservation for roads, &c.

STATUTE III.

CHAP. XXII.—*An Act making appropriations for the support of Government for the year one thousand eight hundred and eleven.*

Feb. 20, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the expenditure of the civil list in the present year, including the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expense of intercourse with foreign nations; for the support of lighthouses, beacons, buoys and public piers; for defraying the expenses of surveying the public lands; and for satisfying certain miscellaneous claims, the following sums be, and the same are hereby respectively appropriated, that is to say:

Specific appropriations.

For compensation granted by law to the members of the Senate and House of Representatives, their officers and attendants, estimated for a session of four months and a half continuance, two hundred and one thousand four hundred and twenty-five dollars.

For the expense of firewood, stationery, printing and all other contingent expenses of the two houses of Congress, thirty-four thousand dollars.

For all contingent expenses of the library of Congress, and for the librarian's allowance for the year one thousand eight hundred and eleven, eight hundred dollars.

For repairing the roof and fitting up a room in the west side of the north wing of the capitol for the library of Congress, six hundred dollars.

For compensation to the President and Vice President of the United States, thirty thousand dollars.

For compensation to the Secretary of State, clerks and persons employed in that department, including the sum of one thousand four hundred and seventy-eight dollars in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, fourteen thousand and thirty-eight dollars.

1806, ch. 41.

For the incidental and contingent expenses of the said department, one thousand three hundred and fifty dollars.

For printing and distributing the laws of the third session of the eleventh Congress, and printing the laws in newspapers, five thousand five hundred dollars.

For compensation to the Secretary of the Treasury, clerks and persons employed in his office, including the sum of one thousand seven hundred and fifty dollars, for clerk hire, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, sixteen thousand seven hundred dollars.

1806, ch. 41.

For expense of translating foreign languages, allowance to the person employed in transmitting passports and sea letters, and for stationery and printing in the office of the Secretary of the Treasury, one thousand dollars.

Specific ap-
propriations.

1806, ch. 41.

For compensation to the comptroller of the treasury, clerks and persons employed in his office, including the sum of one thousand six hundred and thirty-nine dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, fourteen thousand six hundred and sixteen dollars.

For expense of stationery, printing and incidental and contingent expenses of the comptroller's office, five hundred dollars.

For compensation to the auditor of the treasury, clerks and persons employed in his office, twelve thousand two hundred and twenty-one dollars.

For expense of stationery, printing and incidental and contingent expenses of the auditor's office, five hundred dollars.

For compensation to the treasurer, clerks and persons employed in his office, six thousand two hundred and twenty-seven dollars and forty-five cents.

For expense of stationery, printing and incidental and contingent expenses in the treasurer's office, three hundred dollars.

For compensation to the register of the treasury, clerks and persons employed in his office, sixteen thousand fifty-two dollars and two cents.

For compensation to the messenger of the register's office, for stamping and arranging ship's registers, ninety dollars.

For expense of stationery, printing and all other incidental and contingent expenses in the register's office, including books for the public stocks, and for the arrangement of the marine records, two thousand eight hundred dollars.

For fuel and other contingent and incidental expenses of the treasury department, four thousand dollars.

For the purchase of books, maps and charts for the use of the treasury department, four hundred dollars.

For compensation to a superintendent, employed to secure the buildings and records of the treasury department, during the year one thousand eight hundred and eleven, including the expense of two watchmen, the repairs of two fire engines, buckets, lanterns and other incidental and contingent expenses, one thousand one hundred dollars.

For defraying the expense of stating and printing the public accounts for the year one thousand eight hundred and eleven, one thousand two hundred dollars.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

For compensation to the Secretary of War, clerks and persons employed in his office, eleven thousand two hundred and fifty dollars.

For expense of fuel, stationery, printing and other contingent expenses of the office of the Secretary of War, one thousand dollars.

For compensation to the accountant of the war department, clerks and persons employed in his office, ten thousand nine hundred and ten dollars.

For contingent expenses in the office of the accountant of the war department, one thousand dollars.

For compensation to the clerks employed in the paymaster's office, three thousand four hundred dollars.

For contingent expenses in the said office, two hundred dollars.

1806, ch. 41.

For compensation to the purveyor of public supplies, clerks and persons employed in his office, and for expense of stationery, store rent and fuel for said office, including the sum of five hundred dollars for compensation to clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, five thousand one hundred dollars.

For compensation of additional clerks in the office of the superintendent of Indian trade, eight hundred dollars.

For compensation to the Secretary of the Navy, clerks and persons employed in his office, nine thousand eight hundred and ten dollars.

For expense of stationery, fuel, printing and other contingent expenses in the said office, two thousand dollars.

For compensation to the accountant of the navy, clerks and persons employed in his office, ten thousand four hundred and ten dollars.

For contingent expenses in the office of the accountant of the navy, one thousand dollars.

For compensation to the Postmaster-General, assistant Postmaster-General, clerks and persons employed in the Postmaster-General's office, including the sum of two thousand seven hundred and forty-five dollars for compensation to clerks in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, and the sum of eight hundred and fifty-seven dollars for deficiencies in the appropriation of the year one thousand eight hundred and ten, nineteen thousand seven hundred and fifty-seven dollars and seventy-eight cents.

For the expense of fuel, house rent for the messenger, candles, stationery, chests, &c. incident to the Postmaster-General's office, two thousand five hundred dollars.

For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars.

For compensation to the clerks of the commissioners of loans, and for allowances to certain loan officers, in lieu of clerk hire, and to defray the authorized expense of the several loan offices, fifteen thousand dollars.

For compensation to the surveyor-general, and his clerks, three thousand two hundred dollars.

For compensation to the surveyor of the lands south of Tennessee, clerks employed in his office, and for stationery and other contingencies, three thousand seven hundred dollars.

For compensation to the officers of the mint, viz:

The director, two thousand dollars.

The treasurer, one thousand two hundred dollars.

The assayer, one thousand five hundred dollars.

The chief coiner, one thousand five hundred dollars.

The melter and refiner, one thousand five hundred dollars.

The engraver, one thousand two hundred dollars.

One clerk at seven hundred dollars; and

Two clerks at five hundred dollars each.

For wages to the persons employed in melting, coining, carpenters, millwrights, and smiths' work, including the sum of one thousand dollars allowed to an assistant coiner and die forger, who also oversees the execution of the iron work, and of six hundred dollars allowed to an assistant engraver, eight thousand dollars.

For repairs of furnaces, cost of rollers and screws, timber, bar iron, lead, steel, potash, and for all other contingencies of the mint, two thousand seven hundred and seventy-five dollars.

For an allowance for wastage in the gold and silver coinage, including a deficiency in the appropriation for the year one thousand eight hundred and ten, arising from the increase of the coinage for that and several antecedent years, six thousand eight hundred dollars.

For compensation to the governor, judges and secretary of the territory of Orleans, thirteen thousand dollars.

For expense of stationery, and other contingent expenses of said territory, including the sum of one thousand dollars for a deficiency in the appropriation for the year one thousand eight hundred and ten, two thousand eight hundred and fifty dollars.

Specific appropriations.

1806, ch. 41.

Specific ap-
propriations.

For compensation to the governor, judges and secretary of the Mississippi territory, including the sum of one thousand one hundred and thirteen dollars and thirty-three cents, for a deficiency in the appropriation for the year one thousand eight hundred and ten, ten thousand one hundred and thirteen dollars and thirty-three cents.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Indiana territory, six thousand six hundred dollars.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Michigan territory, six thousand six hundred dollars.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Louisiana territory, six thousand six hundred dollars.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Illinois territory, six thousand six hundred dollars.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, two thousand dollars.

1806, ch. 41.

For additional compensation to the clerks in the several departments of state, treasury, war and navy, and of the general post-office, not exceeding for each department respectively, fifteen per centum in addition to the sums allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," thirteen thousand two hundred and sixty-nine dollars and thirty-two cents.

For compensation granted by law to the chief justice, the associate judges and district judges of the United States, including the chief justice and two associate judges for the district of Columbia; to the attorney-general, and to the district judge of the territory of Orleans, fifty-nine thousand four hundred dollars.

For the like compensation granted to the several district attorneys of the United States, three thousand four hundred dollars.

For compensation granted to the several marshals for the districts of Maine, New Hampshire, Vermont, New Jersey, North Carolina, Kentucky, Ohio, East and West Tennessee and Orleans, two thousand two hundred dollars.

For defraying the expenses of the supreme, circuit and district courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, forfeitures and penalties, and for defraying the expenses of prosecutions for offences against the United States, and for the safe keeping of prisoners, forty thousand dollars.

For the payment of sundry pensions granted by the late and present government, nine hundred and sixty dollars.

For the payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March one thousand eight hundred and eleven, to the fourth of March one thousand eight hundred and twelve, ninety-eight thousand dollars.

For the maintenance and support of lighthouses, beacons, buoys and public piers, stakeages of channels bars and shoals, and certain contin-

gent expenses, sixty-eight thousand nine hundred and sixty-five dollars and thirty-nine cents.

Specific ap-
propriations.

For erecting lighthouses at the mouth of the Mississippi, and at or near the Pitch of Cape Lookout, in North Carolina, being the amount of an additional appropriation carried to the surplus fund, twenty thousand dollars.

For building a lighthouse on the south point of Cumberland Island, in Georgia, being the amount of a former appropriation carried to the surplus fund, four thousand dollars.

For erecting a lighthouse on the south point of Sapelo Island in Georgia, and for placing certain buoys and beacons on Dobay bar and Beach point, being the balance of former appropriations carried to the surplus fund, six thousand seven hundred and eighty-nine dollars and six cents.

For erecting a lighthouse on Point Judith, being the balance of a former appropriation carried to the surplus fund, one hundred and sixty-eight dollars and sixty-seven cents.

For erecting two lights on Lake Erie, viz: on or near Bird Island, and on or near Presque Isle, in addition to the appropriation heretofore made for that purpose, four thousand dollars.

For defraying the expense of surveying the public lands within the several territories of the United States, one hundred thousand dollars.

For paying for the printing of new ship's registers, including the cost of paper, the balance of a former appropriation of one thousand one hundred and forty dollars for this object having been heretofore carried to the surplus fund, one thousand five hundred dollars.

For discharging the expense of the third enumeration of the inhabitants of the United States, and that of taking an account of their manufactures, one hundred and fifty thousand dollars.

For expenses of intercourse with foreign nations, forty-seven thousand dollars.

For expenses of intercourse with the Barbary powers, fifty thousand dollars.

For the contingent expenses of government, the balance of former appropriations for that object having been carried to the surplus fund, twenty thousand dollars.

For the relief and protection of distressed American seamen, five thousand dollars.

For expenses of prosecuting claims and appeals in the courts of Great Britain in relation to captures of American vessels, and defending causes elsewhere, four thousand dollars.

For compensation allowed George W. Erving as agent in receiving and paying awards of the board of commissioners, under the seventh article of the British treaty, estimated at two and a half per cent. on the amount of such awards as were actually received by him, twenty-two thousand three hundred and ninety-two dollars and sixty-seven cents.

For payment of the claim of Patrick Donnon, late surveyor of the county of Hardy, in Virginia, being his compensation under the act of Congress, passed May thirteenth, one thousand eight hundred, "to enlarge the powers of the surveyors of the revenue," for valuing, recording and adding to the tax lists sundry tracts of land and dwelling houses omitted by the assessors, there not being a sufficient balance due for direct tax from Virginia for satisfying this claim, seven hundred and twenty-eight dollars and eighty-five cents.

For payment of expenditures made by James Simmons, late collector of Charleston, from January first, one thousand seven hundred and ninety-nine, to December thirty-first, one thousand eight hundred and five, for the navy department, as admitted on settlement of his account

1800, ch. 60.

Specific ap-
propriations.

at the treasury, nine thousand three hundred and seventy-nine dollars and three cents.

For the discharge of such miscellaneous claims against the United States not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, four thousand dollars.

For the payment of a balance due the estate of the late Major-general Anthony Wayne, in conformity with the act passed at the present session, entitled "An act for the relief of the heirs of the late Major-general Wayne," five thousand eight hundred and seventy dollars and thirty-four cents.

1811, ch. 6.

1790, ch. 34.

SEC. 2. *And be it further enacted*, That the several appropriations herein before made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by an act making provision for the debt of the United States, and out of any monies in the treasury not otherwise appropriated.

APPROVED, February 20, 1811.

STATUTE III.

Feb. 22, 1811.

CHAP. XXIII.—*An Act to enable the Georgetown Potomac Bridge Company to levy money for the object of its incorporation.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the directors of the Georgetown Potomac Bridge Company be, and they are hereby empowered to call a general meeting of the stockholders of said company, to be held at Georgetown, in the district of Columbia, by causing public notice to be given of the time and place of such meeting, in the National Intelligencer, and in one of the newspapers printed in each of the cities of New York, Philadelphia and Baltimore, in four successive weeks, the last time at least thirty days before the day of holding the said general meeting. And if at such general meeting, the stockholders present, by themselves or legal representatives, shall determine to rebuild the bridge at or near the little falls of the river Potomac, (for the purpose of erecting which originally was the object of their incorporation,) the holders of two thirds of the stock represented at that meeting concurring, then it shall and may be lawful for the directors of said company, or any two of them, and they are hereby empowered to assess upon and collect from the stockholders of the said company, such sum and sums of money, as shall be necessary to pay its debts already incurred, and to rebuild, make and keep in repair the said bridge, together with the road leading thereto from Georgetown: *Provided*, That the whole amount of such assessments shall not exceed twenty-five dollars on each share in the stock of said company. And of any such assessment and assessments, the said directors shall give public notice to the said stockholders, by advertising the same in the newspapers aforesaid; and the sum and sums which shall be so assessed, the said stockholders are hereby required to pay to the said directors, within sixty days after such notice; and on failure thereof, for the space of thirty days after the expiration of the said sixty days, the said directors, or any two of them, are hereby authorized to sell the share or shares of any and every delinquent stockholder; every such sale to be made at public auction in Georgetown aforesaid, on the day specified in said advertisement: *Provided*, That no more shares shall be sold than shall be deemed necessary to levy the sum and sums of money which shall be assessed as aforesaid; and that the surplus, if any arising on any such sales, shall by the directors aforesaid, be deposited in the Bank of Columbia, for the use of the owner or owners of the share or shares so sold. And the said directors, or any two of them, shall transfer on the books of the said company, to the purchaser or purchasers, the share or shares so sold,

Bridge to be
rebuilt if agreed
to by the stock-
holders.

Assessments
on the stock-
holders.

and if demanded give a certificate or certificates thereof, under their hands and seals, which shall secure to such purchaser or purchasers, a valid title to the same.

APPROVED, February 22, 1811.

CHAP. XXIV.—*An Act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioners appointed by an act of the legislature of the state of Tennessee, passed on the fourteenth day of November, one thousand eight hundred and nine, to fix on a site for the town of Pulaski, in the county of Giles, and state aforesaid, and their successors in office, be, and they are hereby authorized, on producing a receipt from the receiver of public monies, for at least one twentieth part of the purchase money, to enter with the register of the land-office, established for the lands ceded to the United States by the Cherokee and Chickasaw Indians, in the Mississippi territory, a tract of land lying in a regular square, and containing six hundred and forty acres, which has or may be fixed on as a site for the town of Pulaski, as aforesaid, at the same price and on the same terms and conditions of payment as are provided with respect to the other public lands sold at private sale at the said office; and on completing the payment of the purchase money, a patent shall be granted therefor to the said commissioners and their successors in office, in trust, for the use of the said county of Giles, for the purpose aforesaid.

SEC. 2. *And be it further enacted,* That the commissioners appointed by an act of the legislature of the Indiana territory, to fix on a proper site for the permanent seat of government for the said territory, be, and they are hereby authorized, and their successors in office, so soon as the surveys under the authority of the United States shall have been made of the lands which they shall select, and on producing a receipt from the receiver of public monies, for at least one twentieth part of the purchase money, to enter with the register of the land-office for the district in which the land lies, any four quarter sections of land adjoining to each other, which have not been reserved by any former act of Congress, and which the said commissioners may select and fix on as a site for the permanent seat of government for the said territory, and payment shall be made therefor at the same price, and on the same terms and conditions, as are provided in respect to the other public lands sold at private sale in the same district; and on completing the payment of the purchase money, a patent shall be granted therefor, to the said commissioners and their successors in office, in trust for the use of said territory, for the purpose aforesaid.

APPROVED, February 25, 1811.

CHAP. XXV.—*An Act providing for the removal of the land-office established at Nashville, in the state of Tennessee, and Canton in the state of Ohio; and to authorize the register and receiver of public monies to superintend the public sales of land in the district east of Pearl river.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is authorized to remove the land-office established for the sale of the public lands ceded to the United States by the Cherokee and Chickasaw Indians in the Mississippi territory, from Nashville, to such place within the district for which it was established as he may judge most proper; and to remove the land-office

STATUTE III.

Feb. 25, 1811.

[Obsolete.]

Site of the town of Pulaski to be entered with register of land-office and sold.

Conditions, &c. &c.

Conditions upon which the land for the permanent seat of Indiana government may be obtained.

STATUTE III.

Feb. 25, 1811.

Act of Feb. 4, 1815, ch. 33.

President authorized to remove certain land-offices from Nashville and from Canton.

By whom public sales of public lands in the district east of Pearl river are to be conducted.

Tracts of land not paid for to be again offered for sale at the courts of the county.

from Canton in the state of Ohio, to some suitable place within the district for which it was established.

SEC. 2. *And be it further enacted*, That the public sales of the public lands, in the district east of Pearl river, in the Mississippi territory, and also in the district of Kaskaskia, in the Illinois territory, be conducted under the superintendence alone of the register and receiver of public monies for the said districts, who are hereby authorized and empowered to superintend the same, in their respective districts; any law to the contrary notwithstanding; and they shall receive the compensation provided by law for the superintendence of public sales in the districts aforesaid.

SEC. 3. *And be it further enacted*, That if any tract of the public lands, which has been sold or may hereafter be sold, in any state or territory, wherein a land-office is or may be established, and on which complete payment has not or may not have been made, within the time prescribed by law for completing the same, and the tract having been advertised for sale agreeably to law, it shall be lawful to offer the same for sale at public vendue, at the time and place of the sitting of the court, for the county in which the land-office is kept for the district to which the tract belongs, whether the court shall be denominated a court of quarter sessions, or by whatever other designation it may be known.

APPROVED, February 25, 1811.

STATUTE III.

Feb. 26, 1811.

Secretaries of Navy, Treasury and War made a board of commissioners.

Act of 1799, ch. 36.

Fines to be paid to them.

Commissioners to procure sites, at suitable places, for navy hospitals.

Secretary of Navy to prepare necessary rules for the government of the hospitals.

Allowance from the wages and pensions of invalids to be paid to commissioners.

CHAP. XXVI.—*An Act establishing Navy Hospitals.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the money hereafter collected by virtue of the act, entitled "An act in addition to An act for the relief of sick and disabled seamen," shall be paid to the Secretary of the Navy, the Secretary of the Treasury and the Secretary of War, for the time being, who are hereby appointed a board of commissioners, by the name and style of Commissioners of Navy Hospitals, which, together with the sum of fifty thousand dollars hereby appropriated out of the unexpended balance of the marine hospital fund, to be paid to the commissioners aforesaid, shall constitute a fund for navy hospitals.

SEC. 2. *And be it further enacted*, That all fines imposed on navy officers, seamen and marines, shall be paid to the commissioners of navy hospitals.

SEC. 3. *And be it further enacted*, That the commissioners of navy hospitals be and they are hereby authorized and required to procure at a suitable place or places proper sites for navy hospitals, and if the necessary buildings are not procured with the site, to cause such to be erected, having due regard to economy, and giving preference to such plans as with most convenience and least cost will admit of subsequent additions, as the funds will permit and circumstances require; and the commissioners are required at one of the establishments, to provide a permanent asylum for disabled and decrepid navy officers, seamen and marines.

SEC. 4. *And be it further enacted*, That the Secretary of the Navy be authorized and required to prepare the necessary rules and regulations for the government of the institution, and report the same to the next session of Congress.

SEC. 5. *And be it further enacted*, That when any navy officer, seaman or marine, shall be admitted into a navy hospital, that the institution shall be allowed one ration per day during his continuance therein, to be deducted from the account of the United States with such officer, seaman or marine; and in like manner, when any officer, seaman or

marine, entitled to a pension, shall be admitted into a navy hospital, such pension during his continuance therein shall be paid to the commissioners of the navy hospitals, and deducted from the account of such pensioner.

APPROVED, February 26, 1811.

CHAP. XXVIII.—*An Act in addition to the act entitled "An act supplementary to the act concerning Consuls and Vice Consuls," and for the further protection of American seamen.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where distressed mariners and seamen of the United States have been transported from foreign ports where there was no consul, vice consul, commercial agent, or vice commercial agent of the United States, to ports of the United States; and in all cases where they shall hereafter be so transported, there shall be allowed to the master or owner of each vessel, in which they shall or may have been transported, such reasonable compensation, in addition to the allowance now fixed by law, as shall be deemed equitable by the comptroller of the treasury.

APPROVED, February 28, 1811.

CHAP. XXIX.—*An Act supplementary to the act, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes." (a)*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no vessel owned wholly by a citizen or citizens of the United States, which shall have departed from a British port prior to the second day of February, one thousand eight hundred and eleven, and no merchandise, owned wholly by a citizen or citizens of the United States, imported in such vessel, shall be liable to seizure or forfeiture, on account of any infraction or presumed infraction of the provisions of the act to which this act is a supplement.

SEC. 2. *And be it further enacted,* That in case Great Britain shall so revoke or modify her edicts, as that they shall cease to violate the neutral commerce of the United States, the President of the United States shall declare the fact by proclamation; and such proclamation shall be admitted as evidence, and no other evidence shall be admitted of such revocation or modification in any suit or prosecution which may be instituted under the fourth section of the act to which this act is a supplement. And the restrictions imposed or which may be imposed by virtue of the said act, shall, from the date of such proclamation, cease and be discontinued.

SEC. 3. *And be it further enacted,* That until the proclamation aforesaid shall have been issued, the several provisions of the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eighteenth sections of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes," shall have full force and be immediately carried into effect against Great Britain, her colonies and dependencies: *Provided however,* that any vessel or merchandise which may in pursuance thereof be seized, prior to the fact being ascertained, whether Great Britain shall, on or before the second day of February, one thousand eight hundred and eleven, have revoked or modified her edicts in the manner above mentioned, shall nevertheless be restored on application of the parties, on

STATUTE III.

Feb. 28, 1811.

Act of April 14, 1792, ch. 24.
Act of Feb. 28, 1803, ch. 9.
Act of March 3, 1817, ch. 40.

STATUTE III.

March 2, 1811.

[Repealed.]

Act of April 14, 1814, ch. 56.
Vessels leaving England before 2d February, not liable to seizure owned wholly by citizens of the U. States.

1810, ch. 39.

Great Britain revoking its decrees, &c. &c. the fact to be declared by proclamation, &c.

Certain sections of a former law to be in force.

Act of March 1, 1809, ch. 24.

(a) Act of March 1, 1809, chap. 24; act of May 30, 1809, chap. 1; act of June 28, 1809, chap. 9; act of May 1, 1810, chap. 39.

their giving bond with approved sureties to the United States, in a sum equal to the value thereof, to abide the decision of the proper court of the United States thereon; and any such bond shall be considered as satisfied if Great Britain shall, on or before the second day of February, one thousand eight hundred and eleven, have revoked or modified her edicts in the manner above mentioned: *Provided also*, that nothing herein contained shall be construed to affect any ships or vessels or the cargoes of ships or vessels wholly owned by a citizen or citizens of the United States, which had cleared out for the Cape of Good Hope, or for any port beyond the same, prior to the tenth day of November, one thousand eight hundred and ten.

APPROVED, March 2, 1811.

STATUTE III.

March 2, 1811.

CHAP. XXX.—*An Act for establishing trading houses with the Indian tribes.*(a)

Trading-houses to be established.

Superintendent of Indian trade to be appointed—his duties, &c. &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the President of the United States to establish trading houses at such posts and places on the frontiers, or in the Indian country, on either or both sides of the Mississippi river, as he shall judge most convenient, for the purpose of carrying on a liberal trade with the several Indian nations, within the United States, or their territories.

SEC. 2. *And be it further enacted*, That the President of the United States shall be authorized to appoint a superintendent of Indian trade, whose duty it shall be to purchase and take charge of all goods intended for trade with the Indian nations aforesaid, and to transmit the same to such places as he shall be directed by the President; and he shall take an oath or affirmation faithfully to execute the trust committed to him, and that he will not directly or indirectly be concerned or interested in any trade, commerce or barter restricted by this law, and except on the public account; and he shall also give bond, in the penal sum of twenty thousand dollars, with sufficient security, to be approved of by the Secretary of the Treasury of the United States, truly and honestly to account for all money, goods and other property whatever, which shall come into his hands, or for which in good faith he ought so to account, and to perform all the duties required of him by this act; and he shall render to the Secretary of the Treasury a quarter yearly account of all his receipts and expenditures of cash, purchases and transmittals of goods for

(a) Obsolete acts relating to trading houses with the Indians :—

An act for establishing trading houses with the Indian tribes, April 18, 1796, chap. 13.

An act to revive and continue in force “An act for establishing trading houses with the Indian tribes,” April 30, 1802, chap. 39.

An act for continuing in force a law entitled, “An act for establishing trading houses with the Indian tribes,” February 28, 1803, chap. 14.

An act for establishing trading houses with the Indian tribes, April 21, 1806, chap. 48.

An act supplemental to an act entitled, “An act for establishing trading houses with the Indian tribes,” March 3, 1809, chap. 34.

An act establishing trading houses with the Indian tribes, March 2, 1811, chap. 30.

An act to continue in force for a limited time, the act entitled, “An act for establishing trading houses with the Indian tribes,” March 3, 1815, chap. 98.

An act to continue in force an act entitled, “An act for establishing trading houses with the Indian tribes,” March 3, 1817, chap. 43.

An act directing the manner of appointing Indian agents, and continuing the “act for establishing trading houses with the Indian tribes,” April 16, 1818, chap. 61.

An act to continue in force for a further time the act entitled, “An act for establishing trading houses with the Indian tribes,” March 3, 1819, chap. 78.

An act to continue in force for a further time the act entitled, “An act for establishing trading houses with the Indian tribes,” March 4, 1820, chap. 18.

An act to continue in force for a further time the act entitled, “An act to establish trading houses with the Indian tribes,” March 3, 1821, chap. 44.

The trading houses with the Indian tribes, were abolished by an act to abolish the United States trading establishments with the Indian tribes, May 6, 1822, chap. 54.

the Indian trade, to be settled and adjusted by the accounting officer of the treasury, as other public accounts.

SEC. 3. *And be it further enacted*, That the superintendent of Indian trade shall receive an annual salary of two thousand dollars, payable quarter yearly, at the treasury of the United States.

Salary of the superintendent.

SEC. 4. *And be it further enacted*, That the President of the United States shall be authorized to appoint an agent, (and when he shall deem it proper an assistant agent,) for each trading-house establishment, established under the provisions of this act; and every such agent and assistant agent shall give bond, with sufficient security, in such sum as the President shall direct, truly and honestly to account for all the money, goods and other property whatever, which shall come into his hands, and for which he ought so to account; and to perform all the duties required of him by this act; and shall take an oath or affirmation faithfully to execute the trust committed to him; and that he will not directly or indirectly be concerned or interested in any trade, commerce or barter but on the public account.

Agents, &c. &c. to be appointed.

SEC. 5. *And be it further enacted*, That it shall be the duty of each of the said agents to receive, from the superintendent of Indian trade, and dispose of in trade with the Indian nations aforesaid, such goods as may be transmitted to him by the superintendent, to be received and disposed of as aforesaid, according to the rules and orders which the President of the United States shall prescribe; and he shall render an account, quarter yearly, to the superintendent of Indian trade, of all money, goods and other property whatsoever, which shall be transmitted to him, or which shall come into his hands, or for which in good faith he ought to account; and he shall transmit duplicates of his accounts to the Secretary of the Treasury of the United States.

Duties of the agents, &c. &c.

SEC. 6. *And be it further enacted*, That the superintendent of Indian trade, the agents, or their clerks, or other persons employed by them shall not be directly or indirectly concerned or interested in carrying on trade or commerce in any of the goods or articles bought for, or supplied to, or received from the Indians, or shall be owner in whole or in part of any sea vessel, or shall take or apply to his or their use any gain or emolument for negotiating or transacting any business in the Indian department, other than what shall be allowed by law; and that the said agents, assistant agents, or any persons employed by them, shall not be directly or indirectly concerned or interested in carrying on the business of trade or commerce, on their own or any other than the public account, or take or apply to his or their use any emolument or gain for negotiating any such business, during their appointment, agency or employment respectively, other than provided by this act, or excepting for and on account of the United States; and if any such persons shall offend against any of the prohibitions aforesaid, he shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, forfeit to the United States a sum not exceeding one thousand dollars, and shall be removed from such office agency or employment, and forever thereafter be incapable of holding any office under the United States: *Provided*, that if any person, other than a public prosecutor, shall give information of any such offence upon which a prosecution and conviction shall be had, one half of the aforesaid penalty, when recovered, shall be for the use of the person giving such information: *And provided also*, that if such misdemeanor be committed by the superintendent of Indian trade, or by any agent or assistant agent, it shall be deemed a breach of the condition of his bond, and the penalty thereof may be recovered in any court having competent jurisdiction of the same.

Superintendents of Indian trade not allowed to carry on trade, &c. &c.

Proviso.

SEC. 7. *And be it further enacted*, That the prices of goods supplied to and to be paid for by the Indians shall be regulated in such manner,

Regulations with respect to

prices of goods supplied to the Indians.

Penalties, &c.

No suit to be commenced but in the state or territory in which the cause of action arose or in which the defendant may reside.

Goods for annuities to be sent by superintendent, &c.

Specific appropriations for salaries of superintendent, &c. &c.

Pay of the agents, &c. &c.

Appropriation for Indian trade.

1806, ch. 48.

1809, ch. 34.

that the capital stock furnished by the United States shall not be diminished.

SEC. 8. *And be it further enacted*, That if any agent or agents, their clerks or other person employed by them, shall purchase or receive from any Indian, in the way of trade or barter, any gun, or other article, commonly used in hunting, any instrument of husbandry or cooking utensil, of the kind usually obtained by Indians, in their intercourse with white people, or any article of clothing, excepting skins or furs, he or they shall respectively forfeit the sum of one hundred dollars for each offence, to be recovered by action of debt in the name and to the use of the United States, in any court having jurisdiction in like cases: *Provided*, That no suit shall be commenced, except in the state or territory within which the cause of action shall have arisen, or in which the defendant may reside; and it shall be the duty of the superintendent of Indian trade, or of the superintendents of Indian affairs, and their deputies respectively, to whom information of every such offence shall be given, to collect the requisite evidence, if attainable, to prosecute the offender without delay.

SEC. 9. *And be it further enacted*, That the goods requisite for annuities to the Indian nations, within the United States and the territories thereof, and for treaties with them, and for presents to be made them at the seat of government, or elsewhere, shall henceforward be purchased and transmitted to the proper posts and places, by the superintendent of Indian trade, upon orders from the department of war, and the accounts therefor shall be rendered to the war department.

SEC. 10. *And be it further enacted*, That during the continuance of this act the annual sum of two thousand dollars for the payment of the salary of the superintendent of Indian trade, and the annual sum of two thousand five hundred dollars, for the payment of the clerks in his office (including the sum of eight hundred dollars, allowed for an additional clerk, by the act passed on the twenty-sixth day of February, one thousand eight hundred and ten,) are hereby appropriated, to be paid out of any money in the treasury of the United States, not otherwise appropriated.

SEC. 11. *And be it further enacted*, That during the continuance of this act, the President of the United States be, and he is hereby authorized to draw annually from the treasury of the United States a sum not exceeding fourteen thousand seven hundred and fifty dollars, to be applied under his direction, to the payment of the agents, assistant agents and clerks, at the trading houses; which agents shall be allowed to draw out of the public supplies two rations each, and each clerk one ration per day, which rations or such payments as may be made in lieu thereof, by the order of the President, shall be charged to the trading fund; and the President shall cause an annual report to be made to Congress of how much of the sum so authorized has been drawn, and in what manner the same has been applied.

SEC. 12. *And be it further enacted*, That the sum of two hundred and sixty thousand dollars, appropriated by the tenth section of the act, entitled "An act for establishing trading houses with the Indian tribes," approved twenty-first April, one thousand eight hundred and four, and the sum of forty thousand dollars, appropriated by the act, entitled "An act supplemental to the act, entitled An act for establishing trading houses with the Indian tribes," approved third March, one thousand eight hundred and nine, shall be, and remain a fund for the purpose of carrying on trade and intercourse with the Indian nations, in the manner provided by this act, exclusive of the salary of the superintendent of Indian trade and of the allowances to agents, assistant agents and clerks.

SEC. 13. *And be it further enacted*, That it shall be the duty of said

superintendent of Indian trade, under the direction of the President of the United States, and upon such terms and conditions as he shall prescribe, to cause the furs and peltry, and other articles, acquired in trade with the Indian nations, to be sold at public auction, in different parts of the United States, or otherwise disposed of, as may be deemed most advantageous to the United States.

Superintendent to dispose of the furs and peltry.

SEC. 14. *And be it further enacted*, That if the President should deem it expedient to establish, under the authority of this act, trading houses, in addition to the number now in operation, for the purposes of carrying on a trade with the Indian tribes, within the United States, or their territories, the expenses for each trading house so established shall not exceed the following sums of money, in addition to the appropriations already made by this act, viz: For the principal agent, an annual sum, not exceeding one thousand dollars; for an assistant agent, if necessary, an annual sum not exceeding five hundred dollars; to be drawn by the President out of any monies in the treasury not otherwise appropriated.

Additional trading houses.

How the expenses are to be defrayed.

SEC. 15. *And be it further enacted*, That from and after the first day of April next, an act, entitled "An act for establishing trading houses with the Indian tribes," approved on the twenty-first of April, one thousand eight hundred and six, and an act, entitled "An act supplemental to the act, entitled An act for establishing trading houses with the Indian tribes," approved on the fourth day of March, one thousand eight hundred and nine, shall be, and the same are hereby repealed: *Provided*, that nothing herein contained, shall be construed to exonerate any person who shall not have performed the duty, or who shall have violated any of the prohibitions contained in the said acts, from suits or prosecutions, but as to all bonds, contracts, debts, demands, rights, penalties, punishments, which have been made, have arisen, or have incurred, or which shall be made, arise or be incurred, previous to the first day of April next, the said acts shall have the same force and effect, as though this act had not been passed: *Provided likewise*, that the superintendent of Indian trade, the agents, assistant agents and other persons employed under the aforesaid acts, shall continue to hold their several offices, appointments and trusts, until otherwise removed, any thing herein contained that might be construed to the contrary notwithstanding; and also the bonds, which they or either of them have given or may give, for the faithful execution of their several duties and offices, shall continue to have the same force and effect, to all intents and purposes, as though this act had not been passed.

Repealing clause.

1806, ch. 48.
1809, ch. 34.

No one who shall not have performed the duty, or who shall have violated the prohibitions in the acts to be exonerated from suits.

SEC. 16. *And be it further enacted*, That this act shall be in force from and after the first day of April next, for the term of three years, and from thence to the end of the session of Congress next thereafter and no longer.

Commencement and termination of this act.

APPROVED, March 2, 1811.

STATUTE III.

CHAP. XXXI.—*An Act to establish the Districts of Mumphreymagog, of Oswegatchie, and of the White Mountains.*

March 2, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of April next, all that part of the state of Vermont, lying east of lake Mumphreymagog, and including also all such shores and waters of the said lake, as lie within the said state, shall constitute a district, to be called the district of Mumphreymagog; of which Derby shall be the sole port of entry; and a collector for the said district shall be appointed to reside at the said port of entry.

Mumphreymagog district established.

SEC. 2. *And be it further enacted*, That from and after the first day

Oswegatchie district established.

White mountains district established.

Port of entry for district of Vermont may be altered.

Compensations of the collectors.

1799, ch. 22.

of April next, all the shores and waters of the river St. Lawrence, which lie in the state of New York, east of the western boundary of the county of St. Lawrence, and west of the western boundary of the collection district of Champlain, shall constitute a district to be called the district of Oswegatchie, of which Ogdenburgh shall be the sole port of entry, and a collector for the said district shall be appointed to reside at Ogdenburgh. And the President of the United States is authorized to establish another place in the said district to be a port of delivery only; and a surveyor shall be appointed to reside at such port of delivery.

SEC. 3. *And be it further enacted*, That all that part of the state of New Hampshire which lies adjacent to the northern boundary of the United States, and north of forty-four degrees thirty minutes north latitude, shall from and after the first day of April next, constitute a district to be called the district of "White Mountains;" the President of the United States is authorized to establish a place in the said district to be the port of entry; and a collector shall be appointed to reside at the said place.

SEC. 4. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to alter the place which had heretofore been designated to be the port of entry for the district of Vermont, and to establish another place to be such port of entry.

SEC. 5. *And be it further enacted*, That from and after the first day of April next, the collectors of the districts established by this act, and the collectors of the districts of Vermont, Champlain and Sackett's Harbour and Oswego, shall each receive, in addition to the fees and commissions allowed by law, an annual salary of five hundred dollars a year; and the annual salary heretofore allowed to the collectors of the three last mentioned districts shall, from and after the said first day of April, be discontinued; and the surveyor to be appointed for the district of Oswegatchie shall receive, in addition to the fees allowed by law, a salary of one hundred and fifty dollars a year.

APPROVED, March 2, 1811.

STATUTE III.

March 2, 1811.

[Obsolete.]

President authorized to borrow five millions of dollars.

CHAP. XXXII.—*An Act authorizing a loan of money, for a sum not exceeding five millions of dollars.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby empowered to borrow, on the credit of the United States, a sum not exceeding five millions of dollars, at a rate of interest, payable quarter yearly, not exceeding six per centum per annum, and reimbursable at the pleasure of the United States, or at such periods as may be stipulated by contract, not exceeding six years from the first day of January next; to be applied in addition to the monies now in the treasury, or which may be received therein from other sources during the present year, to defray any of the public expenses which are or may be authorized by law. The stock thereby created shall be transferable in the same manner as is provided by law for the transfer of the funded debt: *And it is further hereby declared*, that it shall be deemed a good execution of the said power to borrow, for the Secretary of the Treasury, with the approbation of the President of the United States, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans for the sum to be borrowed, or for any part thereof, bearing an interest of six per cent. per annum, transferable and reimbursable as aforesaid; and to cause the said certificates of stock to be sold at auction, after having given thirty days' public notice of the time and place of such sale: *Provided*, that no such stock be sold under par.

Proviso.

SEC. 2. *And be it further enacted*, That so much of the funds constituting the annual appropriation of eight millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal of the stock, which may be created by virtue of this act. It shall accordingly be the duty of the commissioners of the sinking fund to cause to be applied and paid out of the said fund yearly, and every year, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal as the same shall become due, and may be discharged in conformity with the terms of the loan; and they are further authorized to apply, from time to time, such sum or sums out of the said fund, as they may think proper, towards redeeming by purchase, and at a price not above par, the principal of the said stock or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, or any of them in manner aforesaid.

APPROVED, March 2, 1811.

Funds pledged for paying interest, &c.

STATUTE III.

March 2, 1811.

CHAP. XXXIII.—*An Act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of Collector of Niagara to Lewistown; to make Cape St. Vincent, in the district of Sacket's Harbor, a port of delivery; and out of the districts of Miami and Mississippi to make two new districts, to be called the Districts of Sandusky and Teche; and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the state of New Jersey, which lies north and east of Elizabethtown and Staten Island, be, and the same is hereby annexed to the district of New York; that an assistant collector, to be appointed and commissioned by the President of the United States, shall reside at the town of Jersey, who shall have power to enter and clear vessels in like manner as the collector of New York is authorized by law to do; but such assistant collector shall nevertheless act in conformity to such instructions and regulations as he shall from time to time receive from the collector of New York; and that the said assistant collector shall receive for his annual salary one thousand dollars, in full for all services to be by him performed, and in lieu of commissions and fees.

Part of the state of New Jersey added to the district of New York.

1799, ch. 22, sec. 5.

SEC. 2. *And be it further enacted*, That all that part of the Miami district, lying east of the western cape of Sandusky bay, shall be a district, to be called the district of Sandusky; and the President is hereby authorized to designate such place in the district of Sandusky, as he shall judge expedient, to be the port of entry of the said district; and a collector for the said district shall be appointed to reside at the port of entry.

District of Sandusky.

1805, ch. 34.

SEC. 3. *And be it further enacted*, That Cape Vincent in the district of Sacket's Harbor shall, from and after the thirty-first day of May next, be a port of delivery only; and a surveyor shall be appointed to reside at the said port.

Cape Vincent made a port of delivery only.

SEC. 4. *And be it further enacted*, That the collector's office shall, after the thirty-first day of May next, be removed from Fort Niagara to Lewistown, which last mentioned place shall in future be the residence of the collector; and also that the office of the collector of the customs, for the district of Buffaloe creek, shall be kept at such place or places in the town of Buffaloe as the President of the United States shall designate.

Transfer of the collector's office from Niagara to Lewistown, &c. &c.

1799, ch. 22, sec. 2.

Vessels from
or beyond the
Cape of Good
Hope may enter
at Plymouth.

Bangor made
a port of de-
livery.

District of
Teche estab-
lished.

Surveyor to be
appointed, to
reside at the
mouth of Rap-
pahannock.

Compensations
of the collectors
and surveyors.

1799, ch. 22.

STATUTE III.

March 2, 1811.

[Obsolete.]

1810, ch. 17.

SEC. 5. *And be it further enacted*, That ships or vessels, arriving from and after the first day of May next from the Cape of Good Hope, or from any place beyond the same, shall be admitted to make entry at Plymouth and Nantucket ports of entry in the state of Massachusetts.

SEC. 6. *And be it further enacted*, That from and after the first day of May next, Bangor, in the district of Penobscot, in the state of Massachusetts, be, and the same is hereby made a port of delivery, to be annexed to the district of Penobscot; and that a surveyor be appointed to reside at the said port of delivery.

SEC. 7. *And be it further enacted*, That all that part of the collection district of Mississippi, which includes the waters of the river Teche, and all the shores, bays and rivers, west of the Atchafalaya, be, and the same is hereby established as a new district, to be called the district of Teche; that Nova Iberia be the port of entry for the same; and that a collector be appointed to reside at the port of entry.

SEC. 8. *And be it further enacted*, That a surveyor be appointed to reside at or near the mouth of the Rappahannock river, at such place as the President of the United States shall designate.

SEC. 9. *And be it further enacted*, That the several collectors and surveyors, who may be appointed by virtue of this act, and whose salaries are not fixed by a preceding section, shall, in addition to the fees and commissions authorized by law, receive respectively the same annual salary which by law is allowed to the collectors and surveyors of the districts bordering on Lake Erie.

APPROVED, March 2, 1811.

CHAP. XXXIV.—*An Act to extend the time for completing the third census, or enumeration of the inhabitants of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assistants in the several states and territories, for which returns have not been completed, have, until the first Monday of June next, to make their returns to the marshals and secretaries; and that the marshals and secretaries have, until the first Monday of July next, to make and file their returns in the office of the Secretary of State, any law to the contrary notwithstanding.

APPROVED, March 2, 1811.

STATUTE III.

March 2, 1811.

[Expired.]

1813, ch. 53.

CHAP. XXXVI.—*An Act declaring the consent of Congress to an act of the state of Georgia, passed the twelfth of December, one thousand eight hundred and four, "establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress be, and hereby is granted and declared to the operation of an act of the legislature of Georgia, passed the twelfth of December, one thousand eight hundred and four, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's.

SEC. 2. *And be it further enacted*, That this act shall be in force for one year, and no longer.

APPROVED, March 2, 1811.

STATUTE III.

CHAP. XXXVII.—*An Act to erect a lighthouse on Boon island in the state of Massachusetts, to place buoys off Cape Fear river, and to erect a beacon at New Inlet, in the state of North Carolina, and to place buoys at the entrance of the harbor of Edgartown, and to erect a column of stone on Cape Elizabeth, and to complete the beacons and buoys at the entrance of Beverly harbor, in the state of Massachusetts.*

March 2, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized, on being satisfied that Boon island in the district of Maine, in the state of Massachusetts, is a fit and eligible site for a lighthouse, and that one ought to be erected thereon, to cause a lighthouse to be built on the said island: *Provided,* that the legislature of Massachusetts shall vest the property of the said island in the United States, and cede the jurisdiction of the same.

Secretary of the Treasury may establish a lighthouse on Boon island.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby directed to cause buoys to be placed at or near the main bar, and New Inlet bar off Cape Fear; and also, to cause to be erected a beacon on a point of land, near New Inlet, in the state of North Carolina.

Buoys to be placed off Cape Fear.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby directed to cause such buoys as he shall deem necessary, to be placed at the entrance of the harbor of Edgartown, in the state of Massachusetts.

Buoys to be placed at Edgartown harbor.

SEC. 4. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to cause to be erected a column of stone, as a beacon, on Cape Elizabeth, in the state of Massachusetts, of such form and dimensions as he shall deem necessary.

Beacon to be placed on Cape Elizabeth.

SEC. 5. *And be it further enacted,* That the following sums of money be, and the same are hereby appropriated for the purposes herein mentioned, to wit: For the erection of a lighthouse on Boon island, three thousand dollars; for placing buoys on the places mentioned off Cape Fear river, two thousand dollars; for placing buoys at the entrance of the harbor of Edgartown, two thousand dollars; for erecting a beacon, one thousand eight hundred dollars; and for erecting a column on Cape Elizabeth, one thousand eight hundred dollars; and for completing the beacons and buoys ordered to be placed near the entrance of Beverly harbor, in the state of Massachusetts, the further sum of three hundred and fifty dollars.

Specific appropriations.

APPROVED, March 2, 1811.

STATUTE III.

CHAP. XXXVIII.—*An Act to extend the right of suffrage in the Indiana territory, and for other purposes.*

March 3, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each and every free white male person, who shall have attained the age of twenty-one years, and who shall have paid a county or territorial tax, and who shall have resided one year in said territory, previous to any general election, and be at the time of any such election a resident of said territory, shall be entitled to vote for members of the legislative council and house of representatives of the territorial legislature, and for a delegate to the Congress of the United States for said territory.

Act of Feb. 27, 1809, ch. 19.
Act of Dec. 15, 1809, ch. 2.
Qualifications of voters.

1814, ch. 19.

SEC. 2. *And be it further enacted,* That the citizens of the Indiana territory, entitled to vote for representatives to the general assembly thereof, may on the third Monday of April next, and on the third Monday of April biennially thereafter (unless the general assembly of said territory shall appoint a different day) elect one delegate for said terri-

Biennial elections.

Penalty of one thousand dollars for neglect or refusal of sheriffs.

1809, ch. 19.

Persons holding places of profit, excluded from council, &c.

Sheriff to cause elections to be held under penalty of one thousand dollars.

tory to the Congress of the United States, who shall possess the same powers heretofore granted by law to the same.

SEC. 3. *And be it further enacted*, That each and every sheriff, that now is, or hereafter may be appointed in said territory, who shall either neglect or refuse to perform the duties required by an act, entitled "An act extending the right of suffrage in the Indiana territory, and for other purposes," passed in February, one thousand eight hundred and nine, shall be liable to a penalty of one thousand dollars, recoverable by action of debt, in any court of record, within the said territory, one half for the use of the informer, and the other for the use of the territory.

SEC. 4. *And be it further enacted*, That any person holding, or who may hereafter hold, any office of profit from the governor of the Indiana territory (justices of the peace and militia officers excepted) shall be ineligible to, and disqualified to act as a member of the legislative council or house of representatives for said territory.

SEC. 5. *And be it further enacted*, That each and every sheriff, in each and every county, that now is or hereafter may be established in said territory, shall cause to be held the election prescribed by this act, according to the time and manner prescribed by the laws of said territory and this act, under the penalty of one thousand dollars, to be recovered in the manner and for the use pointed out by the third section of this act.

APPROVED, March 3, 1811.

STATUTE III.

March 3, 1811.

\$200 per annum additional salary allowed to chief justice of the circuit court for the district of Columbia, and \$400 additional to each of the assistant judges.

CHAP. XL.—*An Act to increase the salaries of the Judges of the Circuit Court for the District of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the compensation heretofore allowed by law to the judges of the circuit court for the district of Columbia, the sum of two hundred dollars per annum be paid to the chief justice of the said court, and the sum of four hundred dollars per annum be paid to each of the assistant judges, payable quarter yearly; the first quarterly payment to be made on the first day of April next.

APPROVED, March 3, 1811.

STATUTE III.

March 3, 1811.

\$5,000 appropriated for carrying into effect a treaty between the U. States and the Great and Little Osage nations; with a permanent annual appropriation of \$1000 for the Great and \$500 for the Little Osage nation.

\$680 appropriated to pay the sum allowed J. E. Leitensdorfer by the act of Feb. 13, 1811, ch. 12.

CHAP. XLI.—*An Act making appropriations for carrying into effect a treaty between the United States and the Great and Little Osage nations of Indians, concluded at Fort Clarke, on the tenth day of November, one thousand eight hundred and eight, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying into effect a treaty between the United States and the Great and Little Osage nations of Indians, concluded and signed at Fort Clarke on the Missouri, on the tenth day of November, one thousand eight hundred and eight, the sum of five thousand dollars be, and the same is hereby appropriated; and the further annual sum of one thousand dollars to the Great Osage nation, and of five hundred dollars to the Little Osage nation, to be paid annually to the said nations; which annuities shall be permanent.

SEC. 2. *And be it further enacted*, That the sum of six hundred and eighty dollars be, and the same is hereby appropriated, for paying John Eugene Leitensdorfer the sum allowed him by the act passed on the thirteenth day of February, one thousand eight hundred and eleven.

SEC. 3. *And be it further enacted*, That the several sums appropriated by this act, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1811.

CHAP. XLIII.—*An Act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States.*

STATUTE III.

March 3, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of completing the fortifications commenced for the security of the ports, towns and harbors of the United States, and the territories thereof, there be, and hereby is appropriated the sum of one hundred and thirty-one thousand and forty-six dollars and thirty cents, to be paid out of any monies in the treasury not otherwise appropriated.

APPROVED, March 3, 1811.

Appropriation.

[Obsolete.]

CHAP. XLIV.—*An Act for allowing a reasonable compensation to the persons who have taken an account of the several manufacturing establishments and manufactures within the United States.*

STATUTE III.

March 3, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is authorized to allow such reasonable compensation as he shall deem adequate, for the services of each of those persons who took, under his direction, in pursuance of an act, entitled "An act further to alter and amend An act providing for the third census or enumeration of the inhabitants of the United States," an account of the several manufacturing establishments and manufactures within their several districts: *Provided however,* that nothing herein contained shall authorize the Secretary of the Treasury to expend out of the fund already appropriated for taking the enumeration of the inhabitants of the United States, a sum exceeding thirty thousand dollars.

APPROVED, March 3, 1811.

Compensation to persons taking an account of manufacturing establishments.

[Obsolete.]
1810, ch. 38.

CHAP. XLV.—*An Act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio.*(a)

STATUTE III.

March 3, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the unexpended balance of the sum heretofore appropriated for laying out and making a road from Cumberland in the state of Maryland, to the state of Ohio, the sum of fifty thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, and to be expended under the direction of the President of the United States, in making said road between Cumberland in the state of Maryland, and Brownsville in the state of Pennsylvania, commencing at Cumberland; which sum of fifty thousand dollars shall be replaced out of the fund reserved for laying out and making roads to the state of Ohio, by virtue of the seventh section of an act passed on the thirtieth day of April, one thousand eight hundred and two, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes."

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorized and empowered to permit such deviations from the courses run and established by the commissioners under the authority of "An act to regulate the laying out and making a road from Cumberland in the state of Maryland, to the state of Ohio,"

[Obsolete.]

Additional appropriation.

1806, ch. 19.
1815, ch. 43.

President may permit deviations from courses heretofore run.

(a) See act of March 29, 1806, chap. 19, and notes.

as in his opinion shall be deemed expedient: *Provided*, that no deviation shall be made from the principal points established on said road between Cumberland and Brownsville.

APPROVED, March 3, 1811.

STATUTE III.

March 3, 1811.

Act of Feb.

15, 1811, ch. 14.

Act of April

25, 1812, ch. 67.

Act of May

11, 1820, ch. 86.

Allowances
and compen-
sations.

CHAP. XLVI.—*An Act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteen, one thousand eight hundred and eleven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following allowances and compensations shall be made to the several officers appointed for the purpose of ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana; which allowances and compensations shall be in full for all their services, including those rendered since their salaries respectively ceased; that is to say: To each of the commissioners, and to each of the clerks of the boards, fifty cents for each claim, duly filed according to law, which remained undecided on the first day of July, one thousand eight hundred and nine, and on which a decision has been made subsequent to that day, or shall hereafter be made, whether such decision be in favour of, or against the claim: which allowance of fifty cents shall be paid at the treasury of the United States, from time to time, and on receipt of the transcripts of the decisions and of the reports of claims not finally confirmed, as the same may be transmitted by the boards respectively to the Secretary of the Treasury according to law. To each of the said commissioners and clerks a further allowance of five hundred dollars, to be paid after the completion of the business of each of the boards respectively to the officers then in office. And to each of the translators, at the rate of six hundred dollars a year, and not to exceed in the whole for each the term of eighteen months: *Provided always*, that the above mentioned allowance of fifty cents for each claim decided upon, shall not be made to any of the commissioners who may be absent at the time of such decision; the attendance of each to be certified by the clerk, or by a majority of the board: *And provided also*, that no allowance shall be made to any agent heretofore employed by the Secretary of the Treasury for any period of time, subsequent to the time when such agent ceased to act, or when the board ceased to receive evidence.

Duties of the
deputy survey-
ors and mode of
survey.

SEC. 2. *And be it further enacted*, That the two principal deputy surveyors of the territory of Orleans shall, and they are hereby authorized, in surveying and dividing such of the public lands in the said territory, which are or may be authorized to be surveyed and divided, as are adjacent to any river, lake, creek, bayou, or water course, to vary the mode heretofore prescribed by law, so far as relates to the contents of the tracts, and to the angles and boundary lines, and to lay out the same into tracts as far as practicable, of fifty-eight poles in front and four hundred and sixty-five poles in depth, of such shape, and bounded by such lines as the nature of the country will render practicable, and most convenient: *Provided however*, that such deviations from the ordinary mode of surveying shall be made with the approbation of, and in conformity with the general instructions which may be given to that effect, by the surveyor of the public lands south of the state of Tennessee.

Land-offices
to be establish-
ed at New Or-
leans and Ope-
lousas, &c.

SEC. 3. *And be it further enacted*, That for the disposal of the lands of the United States, lying in the eastern land district of the territory of Orleans, a land-office shall be established at New Orleans; and that for the disposal of the lands of the United States, lying south of Red river, in the western land district of the territory of Orleans, a land-office shall be

established at Opelousas; and that for the disposal of the lands of the United States, lying north of Red river, in the western land district of the territory of Orleans, a land-office shall be established, which shall be kept at such place as the President of the United States may direct. The register of the western land district of the territory of Orleans shall act as register of the land-office of Opelousas, and as one of the commissioners for ascertaining the rights of persons claiming lands in any part of the said western land district. And for the land-office north of the Red river, a register, and for each of the said three offices a receiver of public monies shall be appointed, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law, in relation to the registers and receivers of public monies in the several offices established for the disposal of the lands of the United States, in the territory of Mississippi.

SEC. 4. *And be it further enacted*, That the powers vested in the President of the United States by the eleventh section of the act, entitled "An act supplementary to an act, entitled An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana," passed on the twenty-first day of April, one thousand eight hundred and six, in relation to the public lands, lying in the western district of the territory of Orleans, and all the other provisions made by the same section, for the sale of said lands, and for obtaining patents for the same, shall be, and the same are hereby, in every respect, extended to the public lands, lying in the eastern district of the territory of Orleans.

SEC. 5. *And be it further enacted*, That every person who, either by virtue of a French or Spanish grant recognized by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans, owns a tract of land bordering on any river, creek, bayou, or water course, in the said territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land that which is contained in his own tract, at the same price, and on the same terms and conditions, as are, or may be, provided by law for the other public lands in the said territory. And the principal deputy surveyor of each district respectively shall be and he is hereby authorized, under the superintendence of the surveyor of the public lands south of the state of Tennessee, to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where by reason of bends in the river, lake, creek, bayou, or water course, bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land applicable to that object between the several claimants, in such manner as to him may appear most equitable: *Provided however*, that the right of pre-emption granted by this section shall not extend so far in depth, as to include lands fit for cultivation, bordering on another river, creek, bayou or water course. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver to the register of the proper land-office, a notice in writing, stating the situation and extent of the tract of land he wishes to purchase, and shall also make the payment and payments for the same, at the time and times, which are, or may be, prescribed by law for the disposal of the other public lands in the said territory; the time of his delivering the notice aforesaid being considered as the date of the purchase. And if any such person shall fail to

Certain powers with respect to public lands in eastern district of Orleans territory extended to the President.

Act of April 21, 1806, ch. 43.

Persons entitled to a preference.

Proviso as to the extent of the pre-emption.

deliver such notice within the said period of three years, or to make such payment or payments at the time above mentioned, his right of pre-emption shall cease and become void; and the land may thereafter be purchased by any other person in the same manner, and on the same terms, as are or may be provided by law for the sale of other public lands in the said territory.

When land of-
fices established
by this act to be
opened.

SEC. 6. *And be it further enacted*, That the land-offices established by virtue of the third section of this act, shall be opened on the first day of January, one thousand eight hundred and twelve, for the sale of all the public lands, with the exception of section No. sixteen, of the salt springs, and land contiguous thereto, and of the tracts reserved for the support of seminaries of learning as herein after provided, which shall have been previously surveyed, and the surveys thereof returned according to law to the registers of the land-offices respectively; and on the first day of February, one thousand eight hundred and twelve, for the sale of such of the public lands, which from the nature of the country cannot be surveyed in the ordinary way, and are embraced by the provisions of the second section of this act, as shall have, at least six weeks previous to the said first day of February, one thousand eight hundred and twelve, been advertised for sale by the surveyor of the public lands south of the state of Tennessee, with the approbation of the President of the United States. The public sales for the land subdivided into quarter sections in the ordinary way, shall be held for one calendar month, under the superintendence of the register and receiver of each land-office respectively, and of either the surveyor of public lands south of Tennessee, or of his principal deputy surveyor in the district, who shall each receive six dollars for each day's attendance on the same; and no tract of land shall be sold at said public sales for a less price, than that which is or may be prescribed by law, for the sale of public lands in the Mississippi territory. And from and after the first day of February, one thousand eight hundred and twelve, any tract which has been thus offered for sale at public sale, and remains unsold, as well as any tract of land embraced by the provisions of the second section of this act, the sale of which is authorized by this section, may be disposed of at private sale by the register of the land-office, for the same price which is or may be prescribed by law, for the sale of public lands in the Mississippi territory. All the lands sold by virtue of this section, shall in every other respect be sold on the same terms of payment, and conditions, in the same manner, and under the same regulations as are, or may be, prescribed by law, for the sale of public lands in the Mississippi territory: *Provided however*, than in case of an application being made at the same time, for the purchase at private sale of the same tract of land by two or more persons, one of whom did actually inhabit and cultivate such tract of land at the time of passing this act, and still continues to inhabit and cultivate the same at the time of such application, the preference shall be given to the person thus inhabiting and cultivating such tract of land. *And provided also*, that till after the final decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time, and according to law, presented to the register of the land-office, and filed in his office, for the purpose of being investigated by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans; or which shall have been located by or for Major-general La Fayette, according to law.

1811, ch. 14.

1803, ch. 27.

Proviso.

Proviso.

An additional
township to be
located in Or-
leans territory
for seminary of
learning.

SEC. 7. *And be it further enacted*, That in addition to the township already reserved for that purpose by law in the western district of the territory of Orleans, and which shall be located south of Red river, another entire township shall be located by the Secretary of the Treasury north of Red river, for the use of a seminary of learning, and also

an entire township in the territory of Louisiana, for the support of a seminary of learning within the said territory.

SEC. 8. *And be it further enacted*, That the surveyor-general shall cause such of the public lands in the territory of Louisiana, as the President of the United States shall direct, to be surveyed and divided in the same manner and under the same regulations and limitation as to expenses, as is provided by law in relation to the lands of the United States, northwest of the river Ohio and above the mouth of Kentucky river.

SEC. 9. *And be it further enacted*, That for the disposal of the lands of the United States lying in the territory of Louisiana, a land-office shall be established, which shall be kept at such place as the President of the United States may direct; and a register and receiver of public monies shall be appointed for said office, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their office, as are or may be provided for by law in relation to the register and receiver of public monies in the several offices established for the disposal of the lands of the United States, northwest of the river Ohio, and above the mouth of Kentucky river.

SEC. 10. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, whenever he shall think proper, to direct so much of the public lands lying in the territory of Louisiana, as shall have been surveyed in conformity with the eighth section of this act, to be offered for sale. All such lands shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools within the same, with the exception also of a tract reserved for the support of a seminary of learning, as provided for by the seventh section of this act, and with the exception also of the salt springs and lead mines, and lands contiguous thereto; which, by the direction of the President of the United States, may be reserved for the future disposal of the said states, shall be offered for sale to the highest bidder, under the direction of the register of the land-office and the receiver of public monies and of the principal deputy surveyor, and on such day or days as shall, by public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open for three weeks and no longer. The lands shall be sold for a price not less than that which has been or may be fixed by law for the public lands, northwest of the river Ohio, and above the mouth of Kentucky river. And shall in every other respect be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided for the lands sold in the state of Ohio. The superintendents of the said public sales shall each receive six dollars for each day's attendance on the said sales. All the lands which have been thus offered for sale, at public sale, remaining unsold at the closing of the public sales, may be disposed of at private sale by the register of the land-office, for the same price which is or may be prescribed by law for the sale of public lands in the state of Ohio: *Provided however*, that till after the decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time and according to law presented to the recorder of land titles in the district of Louisiana and filed in his office, for the purpose of being investigated by the commissioners appointed for ascertaining the rights of persons claiming lands in the territory of Louisiana. And patents shall be obtained for all lands sold in the territory of Louisiana, in the same manner and on the same terms as is or may be provided by law for land sold in the state of Ohio.

SEC. 11. *And be it further enacted*, That the claim of the corporation of the city of New Orleans, to the common adjacent thereto, and within six hundred yards from the fortifications of the same, as confirmed by

Surveyor-general to cause certain portions of public lands in territory of Louisiana to be surveyed and divided.

Office to be established for disposing of public land in territory of Louisiana.

1800, ch. 55.

Lands in territory of Louisiana to be offered for sale.

1800, ch. 55.

Proviso.

Patents how obtained.

Claim of corporation of Orleans to be deemed valid.

1807, ch. 36. the act, entitled "An act respecting claims to lands in the territories of Orleans and Louisiana," shall be deemed valid, although the relinquishment of the said corporation to any claim beyond the said distance of six hundred yards was not made till after the expiration of the period of six months prescribed by the act last mentioned.

Navigable rivers to be public highways.

SEC. 12. *And be it further enacted*, That all the navigable rivers and waters in the territories of Orleans and Louisiana shall be and for ever remain public highways.

Appropriation.

SEC. 13. *And be it further enacted*, That a sum not exceeding forty thousand dollars be, and the same is hereby appropriated, for the purpose of carrying this act into effect, which sum shall be paid out of unappropriated monies in the treasury.

Repeal of the act of Feb. 15, 1811, ch. 14.

SEC. 14. *And be it further enacted*, That the act, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana," approved February the sixteenth, (a) eighteen hundred and eleven, be, and the same is hereby repealed.

APPROVED, March 3, 1811.

March 3, 1811.

CHAP. XLVII. — *An Act concerning an act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the state of Georgia and the Mississippi territory, and for other purposes, and the declaration accompanying the same.* (a)

This act, and the act referred to, not to be published until the end of the next session of Congress, unless, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That this act, and the act passed during the present session of Congress, entitled "An act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the state of Georgia and the Mississippi territory, and for other purposes," and the declaration accompanying the same, be not printed or published, until the end of the next session of Congress, unless directed by the President of the United States, any law or usage to the contrary notwithstanding.

APPROVED, March 3, 1811.

Jan. 15, 1811.

RESOLUTION relative to the occupation of the Floridas by the United States of America.

Taking into view the peculiar situation of Spain, and of her American provinces; and considering the influence which the destiny of the territory adjoining the southern border of the United States may have upon their security, tranquillity, and commerce: Therefore,

The United States cannot, without inquietude, see the Floridas pass into the hands of a foreign power, &c.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the United States, under the peculiar circumstances of the existing crisis, cannot, without serious inquietude, see any part of the said territory pass into the hands of any foreign power; and that a due regard to their own safety compels them to provide, under certain contingencies, for the temporary occupation of the said territory; they, at the same time, declare that the said territory shall, in their hands, remain subject to future negotiation.

APPROVED, January 15, 1811.

(a) The act here referred to will be found in Vol. III. p. 471.